

MEETING #38 November 12

At a Regular Meeting of the Madison County Board of Supervisors on November 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
Ernest C. Hoch, County Administrator
Phillip Tartaglia, Finance Director
V. R. Shackelford, III, County Attorney
Jacqueline S. Frye, Clerk of the Board

1. Call to Order/Determine the Presence of a Quorum

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 asked all to remember our veterans in recognition of Veteran’s Day.

Chairman Allen advised the Clerk sent an email pertaining to today’s numbering sequence on today’s Agenda.

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

Supervisor Lackey moved the Board adopt the Agenda 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

4. Monthly Reports

a. Department Heads (if necessary)**EMS**

Lewis Jenkins, Director of Emergency Medical Services, was the designee to provide a monthly report of activities this month; emergency services procedures will change as a result of the affordable care act (Obama care) over the next couple of years; community para-medicine will be a thing of the future and hospitals are being encouraged to allow EMS to become more involved with taking care of patients within the community (i.e. providing services and transports); grant opportunities are also being sought that will assist E911 dispatchers with providing directions to anyone calling 911, which will assist emergency personnel; the volunteer services has about \$80,000.00 to purchase a new ambulance; the volunteers and the EMS system also has 100% funding to allow for the addition of a computer to each emergency response vehicle, as a result of 'four for life' and 'six for life' funding that was leftover from the past fiscal year. Also, the recent textbook being used by EMS is now being referred to as a 'history book' as most programs are now accessible online. In response to concerns as to why emergency staff obeys traffic signals/signs during transports, he advised that emergency staff must utilize safety and weight the cost of 'risk versus benefits.' In closing, EMS plans to do more and provide more to the citizens; several members of his staff are out on leave, thereby making schedules very tight.

In closing, the Board thanked emergency personnel for a job well done within the community.

b. Constitutional Officers (if necessary)

None.

c. VDOT (if any)

Mark Nesbit, Warrenton Residency Administrator, provided a monthly report for review.

d. School Superintendent (if necessary)

Dr. Matt Eberhardt, Superintendent, was present – no new information was provided for review/discussion.

e. Bond Release (if any)

None.

f. Finance Office***i. Certificate of Claims (Fund 10) – General Operations [September FY2014]***

Supervisor Butler motioned the Certificate of Claims (Fund 10) - General Operations for September FY2014, totaling \$783,567.75 be approved as submitted, 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

ii. Certificate of Claims (Fund 11) - Tourism Enhancement [September FY2014]

Supervisor Lackey moved the Board approve the Certificate of Claims (Fund 11) for Tourism Enhancement for September (FY2014) totaling \$2,892.00 be approved as submitted, 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

iii. Certificate of Claims (Fund 40) - Debt Service [September FY2014](if any) - None

iv. Supplemental Requests [General Operations (Fund 10) FY2014]

Supervisor Weakley moved the Board approve the Supplemental Requests – General Operations [September 2013 – FY2014], totaling \$48,943.70 be approved as submitted, seconded by Supervisor Butler, with the following vote recorded:

1. Parks & Recreation	71100-5690;161201	PRA Youth Prog. – Sept. Dep.	\$ 2,461.26
2. Parks & Recreation	71100-5691;161201	PRA Oth. Prog. – Sept Dep.	\$ 2,633.00
3. Line of Duty Act	35700-2311;240106	LODA Pmts.	\$ 1,163.44
4. Line of Duty Act	36700-2311;240106	LODA Pmts.	\$ 550.01
5. Water Quality Mgmt.	82200-5898;240906	Grant Closeout	\$35,570.99
6. Animal Control	31503-5601;180915	Topping Transfer	<u>\$ 6,565.00</u>
		TOTAL:	\$48,943.70

Supervisor Weakley moved the Board approve the Supplemental Requests [General Operations [September 2013 – FY2014], totaling \$48,943.70, as presented, 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

g. Minutes #33 through #35

All members were present all each meeting; corrections were also recorded and resubmitted on Minutes #33 and Minutes #35.

Supervisor Lackey moved the approval of Minutes #33, #34 and #35 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

5. Parks & Recreation Authority Updates (JT Price & Eddie Dean):

JT Price and Eddie Dean were present on behalf of the PRA.

Mr. Dean thanked the County for being receptive to ideas of installing fencing at a cost of \$15,000.00; there was a recent tournament held at Hoover Ridge that included twelve (12) teams participating in the event which brought in about 720 people in the community for two (2) days which brought in revenue for the County. Although this type of event will not bring in enough revenue to cover the cost of fencing, it will provide enough funding to offset the cost of hosting the event; additional projects discussed included signage (not included in the five-year plan), a pavilion (currently hosted by the Carpenter Foundation); the existing hockey roller rink (to remain in its current location); volunteers have assisted with fundraising opportunities; there's a possibility of attaining a grant to cover the cost of paving; the Department of Conservation & Recreation is also offering a grant (80/20 match [filing deadline of 12/5/2013]) to improve and/or add walking trails – the PRA currently has about twenty-five percent (25%) in the Camp Crocket line item that can be contributed toward the matching grant amount; currently, there is a group that would also like to donate funding to purchase playground equipment for Hoover Ridge; the PRA will try to complete several application packages and present them for review/advisement, which may include possible phasing and flexibility.

Supervisor Butler suggested the podium be placed back in its original location, so as not to 'intimidate' individuals.

The County Administrator clarified the podium was moved to eliminate the wires being in the way; also, public comment should really be addressed to the Board and not the audience; once space issues have been resolved, further changes can be implemented.

6. Discussion/Action Items:

a. The Journey through Hallowed Ground Partnership [Resolution #2013-15]

The County Administrator provided a brief overview of the Resolution being presented by the JTHGP for review and adoption; the resolution doesn't involve any monetary commitment and only denotes the Madison County Board of Supervisors will reaffirm its commitment to pledge continued support for the collaborative JTHGP; current proposals involved the placement of a tree along the corridor for all fallen soldiers during the Civil War, and work with communities in order to accomplish this mission. In close, Kate McGinnis-Wyatt, Director, did advise there will be a funding request included

for next year's budget discussion; however, this isn't part of today's proposal and will be discussed during next year.

The County also asked for a copy of the JTHGP fiscal budget, but this hasn't yet been received; a great deal of revenue has been contributed to the partnership, including documentaries being done with major television networks; this endeavor is quite involved and has a high level of success thus far. It was also clarified that property owners will have the option to voluntarily participate in allowing trees to be planted on their property; the JTHGP is currently working with VDOT regarding planting in the right-of-way.

Supervisor Lackey moved the Board approve Resolution #2013-15 [Madison County board of Supervisors Resolution of Reaffirmation of Support for the Journey through Hallowed Ground Partnership], 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

b. Rescue Squad MOU

Chairman Allen advised today's document represents suggested amendments; he called for further discussion.

Wayne Jones, Member, was present and advised that Steve Grayson would be signing the document after approval is done by the volunteer squad.

Supervisor Weakley moved the Board approve the Memorandum of Understanding between the Madison County Board of Supervisors and the Madison County Volunteer Rescue Squad on November 12, 2013, 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. Board of Supervisors' Reports: Meetings Attended in Past Month:

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

Supervisor Butler: Social Services; Skyline CAP; Thomas Jefferson EMS Council

Supervisor Lackey: Aging Together; PRA Monthly Meeting & Workshop Session; VACo Annual Meeting (in Richmond) – a platform of items/issues was adopted and forwarded to the General Assembly.

Supervisor Elliott: Madison County Planning Commission Meeting & Workshop.

Chairman Allen: Tyler Technologies Software 'kick-off' meeting.

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 provided citizen input pertaining to zoning issues within the County:

- Robert Legge (regarding favor of moving podium back to the side; too many trees along County roadways which blocks sight distance); feels this should be considered in lieu of the request by the JTHGP to plant trees along the corridor.

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

Closed Session (if any) - None

****Dinner Break****

7:00 p.m.

8. Reconvene Meeting:

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

9. *7:00 p.m. Public Comment Opportunity (not to exceed five [5] minutes)*

Chairman Allen opened the floor for public comment.

The following individuals provided public comment:

- William (Bill) Campbell (suggested the Board explain how proposed landfill fees have come about).

10: Discussion/Action Item(s)

a. Commonwealth Attorney Funding Request (Capital Murder Case):

The County Administrator advised a letter was received from George Webb, Commonwealth Attorney, on October 21, 2013 (discussed at the October Workshop Session) pertaining to a request for additional funding to hire a paralegal to continue preparations for the above referenced case; the case has been scheduled for September 2014; the request is for additional funding totaling \$56,160.00 over a fifty-two (52) week period (i.e. half during this year and half during the upcoming year at \$45.00 per hour for twenty-four [24] hours per week, to begin immediately), depending on how the part-time hours add up. It's anticipated that additional expenses will come pertaining to the case within the upcoming year; contact has been made with the Attorney General's Office to inquire as to whether the County can receive any help for the case, but discussions have resulted in there being no

assistance available. The State is currently paying for the defendant's defense, but the locality will hold full responsibility for expenses pertaining to the case being held here. Additional costs may be requested for transportation, security, juror sequestration/housing, etc. The Commonwealth Attorney has been asked to provide a budget for the County to discuss during the upcoming budgetary process for consideration; a discussion will also be held with the Sheriff to advise of any proposed expenses for his department as well.

Supervisor Butler advised there is an attorney from Prince William County also helping with the case.

The County Administrator advised the individual is a legal aid; the Commonwealth Attorney has reached out to various individuals for assistance; however, there will still be some costs incurred that the County will not be reimbursed for. In closing, the costs associated with required 'leg work' will fall on the responsibility of the Commonwealth Attorney's Office.

Additional comments verbalized by the Board included:

- a) Whether there are any funds within the Commonwealth Attorney's departmental budget that could be used to defray some of the proposed costs;
- b) If the case is shifted elsewhere, there will be additional costs to the County; therefore it's hoped the Judge will allow the case to be held here;
- c) What's the difference in the Commonwealth Attorney's departmental budget from last year to now;

The County Administrator advised the County did approve some additional part-time funding within the past year for the Commonwealth Attorney's Office; there are no additional funds within the departmental budget that can be used to defray the costs being discussed today. Also, in discussing the issue with Prince William County, it was relayed that assistance isn't received for capital cases held in a specific locality...the only exception is if there is some federal jurisdiction involved.

Additional concerns verbalized by the Board were as follows:

- Costs associated with the proposed case will continue to increase as time progresses; he suggested the County provide enough funding for now to get things started, but allow the oncoming Board to deal with this issue.
- Salaries are appropriated; without any assurance, the Commonwealth Attorney will be unable to fully commit to hire anyone for the duration of the case.

- Favor of providing enough funding for three (3) months until the new Board is in place; however, with most capital cases, the trial ends in a 'plea bargain.'
- Can a 'drawdown' be put into place or can a lump sum be allocated directly to the Commonwealth Attorney's departmental budget.

The County Administrator advised the amount being requested will equal \$1,080.00 per week or \$4,676.00 per month; from now until 12/31/2013 will equal \$9,500.00 and through the end of the fiscal year will be \$35,000.00. Also, in lieu of the request being very specific, (i.e. \$45.00 per hour for twenty-four [24] hours per week), he feels the County can incrementally fund \$1,080.00 per week for a specific amount of time (i.e. through the rest of the fiscal year or through the end of 2013); he feels there may be a concern if the individual is sub-contracted (i.e. the individual is actually an attorney working as a paralegal).

Supervisor Lackey moved the Board approve the funding request submitted by the Commonwealth Attorney through the end of fiscal year 2014 in the amount of \$35,000.00, seconded by Supervisor Weakley.

Supervisor Elliott advised he was only in support of funding the proposed request for three (3) months.

With the following vote recorded:

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

11. Public Hearing (Proposed Fee Schedule for the Madison County Transfer Station)

Chairman Allen advised tonight's public hearing is on the proposed fee schedule for the Madison County Transfer Station.

The County Administrator provided a brief overview of tonight's proposal, which began with the County utilizing decals in 2007 and eventually progressing to the elimination of decals, County stickers, and then returning to the implementation of a hangtag fee and a proposed fee disposal schedule in 2011. Today's proposal will call for a flat fee of \$65.00 for commercial trash (elimination of the \$50.00 fee for compacted trash); many citizens weren't in favor of having to pay for a hangtag (i.e. \$75.00). Although hangtags are still required, the fee was eliminated; tags were then provided without a charge effective July 1, 2012 (proposed fee scheduled attached). In closing, the proposed schedule involves some lower costs (item #1, #2 and #3); new options (item #4 and #5); increased costs (item #6 and #7).

The County Administrator advised the Ordinance advises the County can implement rate changes by way of a Resolution; however, he felt tonight's public hearing will allow the

Board to attain input from the citizens. Additionally, he advised the County hasn't implemented any changes to the disposal rates since the initiation of the current fee

Concerns were verbalized as to whether the County would experience much change in revenue in the event commercial haulers are allowed to dump in other localities at a lower rate, and how the proposed fee schedule will effect non-profit organizations.

The County Administrator advised the affect will be minimal; the County's largest commercial hauler has already left the County, despite being charged a lower rate. The County was paying a little over \$100.00 per ton in total trash; current rate is about \$80.00 per ton. Also, trash disposed of by local churches and other non-profit organizations haven't been charged, as citizens take portions to the landfill, which can still happen; however, the proposed schedule is being brought forth to try to identify what is being brought in for disposal. If a legitimate business is generating trash, there should be a dumpster to the rear of the business; if not, anything being brought to the landfill should be identified as being from a 'business' and therefore be charged \$65.00 per ton.

Chairman Allen opened the public hearing for citizen comment and advised the only comments being entertained will pertain to the proposed fee schedule; there will be no changes to the existing Ordinance at this time; citizens were asked to come forward, identify themselves, provide input and limit comments to no more than five (5) minutes.

The following citizens approached the podium:

- Kim Smith of Brightwood was present and questioned Item #1 and asked for more clarification as to how the 'weight limit' will be determine; how will egress and ingress be determined.
- Charles Nicholson of Brightwood was present and questioned how tonight's proposed fees will affect him, as he doesn't use the landfill (goes to Culpeper) and why should his taxes be affected for something he doesn't use.

Chairman Allen clarified the landfill is a service offered to the citizens of the County; it's there if you want to use it, similar to the fees for emergency services and the school system.

- Lisa Davis of Locust Dale was present and wasn't in favor of paying for a landfill hangtag (Item 1-a)....doesn't feel a fee of \$5.00 should be implemented as a way to receive money.

Chairman Allen clarified the fee of \$5.00 will only be charged in the event a citizen needs a replacement tag or they desire to have a second tag.

In closing, Ms. Davis complimented Mr. Darryl Walker (of Waste Management Services, Inc.) for his hard work and assistance.

- Bill McDermott of Rochelle was present and had concerns on Item #15 – he suggested the Board not be interrupted by the business of negotiation a fee for large recycling debris and pass the responsibility for this task onto the County Administrator, or at least consider this issue; waiting may cause a delay for someone wanting to dispose of debris in a timely manner.
- Lloyd Williams of Leon was present and questioned items dealing with ‘process and tracking (Item #1b), and how this will be implemented; also, what method will be in place to track local businesses; the process to disposing of recyclables and weighing will be a difficult process.
- David Follet of Madison was present and questioned Item #5 and how this will affect the non-profit organization to which he volunteers (MESA); he also questioned if a fee will be assessed if you dispose of trash for a friend who has a hangtag but the amount includes six (6) bags of residential trash from a friend and his personal residence.

Chairman Allen clarified there will be no additional fee for more than six (6) bags of residential trash, but only if it’s from a business; however, if trash is being hauled as a means of a ‘business’, the fee will be imposed.

The County Administrator advised that tonight’s proposed process will not be perfect and it’s not meant to generate additional revenue; currently MESA pays for disposal of bulk items and heavily police what’s donated to their organization. Today’s process is a means of trying to develop a plan that’s fair – the majority of small businesses here are currently ‘breaking the law’ by not paying to dispose of debris.

- Billy Wise of Madison was present and advised that he’s a small business who isn’t ‘breaking the law; the fee for the handling of disposed televisions isn’t correct – these items are simply placed in the trailer; he questioned who will count bags being disposed – who will determine what’s reusable, what isn’t, and who will be responsible for the disposal of anything deemed non-reusable; Greene County will also accept debris from any locality.
- William (Bill) Campbell of Graves Mill feels the proposed fee schedule is a means to get more money; he feels this will be a constant ‘creeping; he suggested the County bring back the County sticker.
- Tommy Utz of Criglersville was present and questioned the fee for disposing of a burn barrel; he also has large plastic wrap from hay bales.

The County Administrator advised there is a \$3.00 fee to dispose of a burn barrel; there is no fee for loose trash, but a fee for the debris that has been burned, as it’s a heavier weight due to being packed down and requires special handling; the bulk plastic wrap can be recycled if it’s ‘clean’ (not mixed with other garbage).

- Billy Wise returned to the podium once again to advise the farmers are a small business and they feed the people of the County and Country; he feels the only folks that should be charged are the commercial haulers; he totally disagrees with what the County is trying to do.

Supervisor Lackey questioned whether plastic bags from the grocery stores are recyclable.

The County Administrator advised the sorting facility can recycling plastic depends on the 'grade' – generally, store bags will be sorted as 'trash' on a recycling sorting line and will be discarded with regular trash; the plastic Mr. Utz referred to is a higher grade (i.e. thicker). The County currently has no provisions in the existing contract for rejections; however, if a material is recycled that causes a problem, the vendor may request the County re-educate the citizens on what's allowed.

With no further comments being brought forth, Chairman Allen closed the floor for public comment.

Chairman Allen advised the Board will review tonight's input at the November Workshop Session; the Board will then decide whether to act on tonight's proposed fee schedule in December 2013. Much information was provided from the citizens tonight; he advised the County is trying to do the very best possible for the citizens of Madison County, and will consider the comments made tonight.

12. Information/Correspondence (if any):

Five Year Plan Update: The County Administrator advised the five year plan update was done in house (required by law). Also, several employees were sent to attain a license - Roger Berry (Facilities Department) does oversee the Madison County Transfer Station and has now received his Class I and Class II licensure.

Transfer Station Operations: Supervisor Elliott questioned the documentation sent to Waste Management Services, Inc. regarding the new scales and other work they were to have completed by October 1st, which still hasn't been completed (i.e. scales).

The County Administrator advised that although the old system is being used, the new system is installed and operational; however, there's a problem with the printing of the new tickets and a technician will be in within the coming week to resolve issues they're having with the computer system. Although the items in question should've been completed by now, they have completed several improvements to date (i.e. new door, windows, painting, scales, etc.); he has continued to discuss these concerns with the representatives and will continue.

Supervisor Butler suggested that payments be withheld until all improvements have been completed.

The County Attorney advised that contractual damages can be sought in the event there is proof of liquidated damages; he feels the County would spend more on litigation – this wouldn't be in the County's best interest; he also suggested the County not 'force' them to walk away from the existing operation. He suggested the County continue to apply 'pressure'. The County and Waste Management Services, Inc. are joined in the existing endeavor; the existing contract doesn't include wording to cover 'liquidated damages'; the County Administrator has been successful in developing a good agreement between both parties, and he has continued to stay on top of the issues in question, which he feels will soon be resolved.

Supervisor Elliott questioned what process will be in place regarding weight in the event a vehicle has an empty tank during the first visit and the tank is full on the next vehicle.

The County Administrator advised that no one will be charged on a tare weight; tare weight will only be used for 'no charges' – a tag number will be provided and will be plugged into the system by vehicle and number.

The County Administrator advised he will issue a new letter to Waste Management Services, Inc. and will advise if the improvements aren't implemented shortly, a percentage amount will be deducted from the monthly bill from this point forward.

Chairman Allen advised there was a concern that costs will be 'creeping' up; the County is only looking to provide the most reasonable means to dispose of debris; there has never been any discussion by the Board to increase fees at the landfill in as a means of boosting revenue for the County.

13. Adjournment: 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

J. Dave Allen, Chairman
Madison County Board of Supervisors

Jacqueline S. Frye, Clerk of the Board

Adopted on: January 14, 2014

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

Resolutions and Other Documents Adopted on November 12, 2013:

1. **Resolution #2013-15 [Requesting that Congress Open Shenandoah National Park**
2. **Memorandum of Understanding (Madison County BOS & Madison Volunteer Rescue Squad)[amended]**
3. **Proposed Fee Schedule for the Madison County Transfer Station**

RESOLUTION #2013-15

**MADISON COUNTY BOARD OF SUPERVISORS
RESOLUTION OF REAFFIRMATION OF SUPPORT for the
JOURNEY THROUGH HALLOWED GROUND PARTNERSHIP**

WHEREAS, the Journey through Hallowed Ground Partnership (JTHG) is a non-profit organization dedicated to raising national and international awareness of the unparalleled history in the region from Gettysburg, PA to Albemarle, VA.

WHEREAS, the JTHG has built a strong network of 350 local, regional, and national partnering organizations to develop a common vision to brand and enhance the scenic, historic, recreational, cultural, and natural resources of the region.

WHEREAS, the JTHG has collaboratively created a National Heritage Area as designated by the United States Congress and signed into law by President Bush in 2008.

WHEREAS, the JTHG has successfully completed a Corridor Management Plan for the 180 mile long corridor generally following the Old Carolina Road and worked to have it designated at only the 99th road in the country to be recognized as a National Scenic Byway in 2009.

WHEREAS, the JTHG has created heritage tourism programs that provide economic development opportunities for each Partnering jurisdiction within The National Heritage Area to support our businesses and the quality of life for all citizens.

WHEREAS, the JTHG has developed award winning educational programs, including the Of the Student, By the Student, For the Student service learning project, to connect students and teachers with our shared heritage.

WHEREAS, the JTHG developed the "Living Legacy" project that commemorates the individual and combined sacrifices of the Civil War fallen by planting one tree for each of the 620,000 soldiers who died, as it beautifies the communities of Partnering jurisdictions.

THEREFORE, BE IT RESOLVED that the Madison County, VA Board of Supervisors reaffirms its commitment to the Journey through Hallowed Ground Partnership and pledges its continued support for this collaborative Partnership.

Adopted this 12th day of November, 2013, on motion of Supervisor Lackey, seconded by Supervisor Weakley.

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

**Memorandum of Understanding Between the
 Madison County Board of Supervisors and the
 Madison County Volunteer Rescue Squad
 Dated: November 12, 2013**

The Madison County Board of Supervisors (herein referred to as County) and the Madison County Volunteer Rescue Squad (herein referred to as Squad) agree to the following:

The County agrees to provide funding to the Squad for the sole and specific purpose of building a Rescue Squad facility in Madison County. The first approved amount for FY 2014 is one hundred and fifty thousand dollars (\$150,000.00) payable to the Squad upon ratification of this agreement. Additional amounts will be subject to annual appropriations by the County and this agreement will be amended to reflect any additional funding.

The Squad agrees to provide adequate space to the Madison EMS for their complete operation now and into the future at no charge. The current separate agreement between the parties for equipment is independent of this agreement. The County will be consulted on the construction plans for this building prior to final design and construction. The final plans for construction shall subject to approval by the County.

If the Squad fails to commence construction of a new building within seven years, all funds provided by the County plus any accumulated interest will be returned to the County. This time may be extended by a vote of the County. The Squad shall hold funds provided by the County in an interest bearing account. The Squad shall provide the County a report every six months and annually as to the status of the project and accounting of the funds held in escrow. This money cannot be used for any other purpose than the construction of a new rescue squad building.

In the event the Squad dissolves, ceases to operate, or does not construct a facility, the Squad shall return all funds provided by the County and any accumulated interest to the County. In the event the Squad completes construction and then dissolves or ceases to operate, the Squad shall return all funds provided by the County and any accumulated interest to the County. The County shall also have a first option to purchase the new building and real property at the then current appraised value, less 110% of any funds provided by the County for this project. If the County purchases the new building and real property for the then current appraised value less 110% of any funds provided by the County for this project the Squad shall not be required to return any additional funds to the County

This memorandum of understanding is effective as of the caption date and is executed in duplicate.

Payment 1: November 2013 in the amount of : \$150,000.00

Payment 2: _____ in the amount of : \$_____

Payment 3: _____ in the amount of : \$ _____

Payment 4: _____ in the amount of : \$ _____

WITNESS the following signatures.

Madison County Board of Supervisors

By: _____

Madison County Volunteer Rescue Squad

By: _____

TRANSFER STATION General Terms and Conditions

1. **ONLY** Trash generated in Madison County is permitted
2. Residential household trash (Bags only).
 1. County issued hang tag must be displayed/presented to the scale attendant.
 2. One hang tag per household.
 - i. Proof of residency must be provided
 - ii. Hang tags may be obtained at the scale house
 - iii. Second or replacement tags are \$5.00 each
 3. All trash delivered to the transfer station shall be secured and completely covered or enclosed.
 4. All charges shall be by the adopted fee schedule.
3. Small Business and small non-profits that generate less than 4 - 30 gallon bags per week shall register at the scale house and submit:
 1. Company/Non Profit name, address, telephone number, e-mail, contact person and list of trucks collecting and or transporting trash in the county. Each company will be issued a commercial tag.
 2. All trash delivered to the transfer station shall be secured and completely covered or enclosed.
 3. All charges shall be by the adopted fee schedule.
4. Commercial haulers and companies hauling their own trash shall register at the scale house and submit:
 1. Company name, address, telephone number, e-mail, contact person and list of trucks collecting and or transporting trash in the county. Each company will be issued a commercial tag.
 2. All trash delivered to the transfer station shall be secured and completely covered or enclosed.
 3. All charges shall be by the adopted fee schedule.

Transfer Station Fee Schedule Effective October 9, 2013

1. Residential bagged trash, **No Charge**
 - a. One small bulk item permitted per week at no charge (less than 25 lbs.)
 - b. Additional tags \$5.00 with a limit of 2 per household
2. Small home based business and non-profits may dispose up to 4 - 30 gallon bags per week. Anything over 4 bags will be charged at commercial rates.
3. All commercial trash will be weighed and charged by the ton
 - a. The rate per ton is \$65.00
4. Per bag of trash (30-45 gallon) \$2.00
5. White Goods (Refrigerator, Washer, Dryer) \$20.00
6. Electronics (TV) \$10.00
7. Burn Barrels \$3.00 (requires special handling)
8. Car tires \$3.00
9. Large tires \$10.00 (tractor, truck etc.)
10. Furniture if mixed in with bags can be charged by the unit at:
 - a. Small items (furniture appliances, debris less than 20 lbs.) \$2.00
 - b. Medium items (furniture appliances, debris less than 50 lbs.) \$5.00
 - c. Large items (furniture appliances, debris more than 50 lbs.) \$10.00
 - d. Mattress or box spring \$8.00 each
11. Brush is charged at a rate of \$65.00 per ton
 - a. Free brush months (October & March) for residential brush only
12. Should scale be inoperable the attendant will estimate charges based on established rates and an agreed upon estimated weight in advance.
13. No charge for single stream or scrap metal recycling (not appliances)
14. No hazardous materials accepted
15. Payment is by cash, check or a charge account may be set up once approved.
16. Large quantities of recycling may be accepted however rates and logistics shall be negotiated in advance and subject to Board of Supervisors approval



Agenda

Madison County Board of Supervisors
 Tuesday, November 12, 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)
 - i. EMS Report: Lewis Jenkins
 - b. Constitutional Officers (if necessary)
 - c. School System (if necessary)
 - d. Bond Release (if any)
 - e. Finance Office
 - i. *Certificate of Claims [General Operations [September FY2014]*
 - ii. *Certificate of Claims [Tourism Enhancement – September FY2014]*
 - iii. *Certificate of Claims [Debt Service – September 2013 –FY2014]*
 - iv. *Supplemental Requests [General Operations – September 2013 – FY2014]*
 - f. *Minutes*
 - i. #33 through #35
 5. Parks & Recreation Updates: JT Price & Eddie Dean
 6. Discussion/Action Item(s)
 - a. Journey Through Hallowed Ground [Resolution #2013-15]
 - b. Rescue Squad MOU
 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.*

- *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

9. ****7:00 p.m. PUBLIC COMMENT OPPORTUNITY (not to exceed five [5] minutes per speaker)****

10. Discussion/Action Item(s)

a. Commonwealth Attorney Funding Request (Capital Murder Case)

11. Public Hearing (Proposed Fee Schedule for the Madison County Transfer Station)

12. Information & Correspondence (if any)

13. 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, YELLOW HIGHLIGHT ****