

MEETING #32- June 9

At a Regular Meeting of the Madison County Board of Supervisors on June 9, 2015 at 4:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: Doris G. Lackey, Chairman
R. Clay Jackson, Vice-Chairman
Jonathon Weakley, Member
Robert Campbell, Member
Kevin McGhee, Member
William Tidball Interim County Administrator
V. R. Shackelford, III, County Attorney
Leo Tayamen, Finance Director
Jacqueline S. Frye, Deputy Clerk

Agenda Items:

Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum/Adopt Agenda:

Supervisor Jackson moved the Board approve the Agenda as presented, seconded by Supervisor Campbell. *Ayes: Lackey, Jackson, Weakley, McGhee. Nays: Campbell (due to the closed session).*

2. Constitutional Officers: None

3. County Departments: None

4. Independent Committees/Organizations: None

5. Committee Reports:

i. Shenandoah National Park – Blue Ridge Committee [Bruce Bowman]

Bruce Bowman, citizen representative, was present to provide highlights from a recent Blue Ridge Committee meeting. An invitation was provided to the Planning Commission to select a 'non-voting' member to attend the annual meetings with Jim Northup, Superintendent.

Additional information provided focused on:

- Increase in visitation (from 2014) in the park
- The importance a trusting relationship (with the park)
- Chronic wasting disease
- Emerald Ash Bore
- Possible future problems with feral hogs
- Negotiations (with Graves' Family) for use of White Oak Canyon parking lot
- Replacement of park signage
- Upgrades to park kiosk
- Introduction of a mobile Visitors' Center (at the south end of the park)
- Upcoming development of a park in the National Capital Region (Washington, D.C.)

Comments from the Board focused on:

- Good educational opportunity (SOL component)
- Park "Neighbor Day" – June 20th (free admission for all)
- Encouraging citizens to read the book "Ghost Girl"
- Initiative being hosted by the Blue Ridge Heritage Foundation (by Mr. Jim Lillard)

6. Finance:

i. General Operations (Fund 10) General Fund FY2015 – April

Supervisor Weakley moved the Board approve the Certificate of Claims (Fund 10) General Operations for April FY2015 in the amount of \$771,011.55, seconded by Supervisor Jackson. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

ii. Certificate of Claims (Fund 11) Tourism Enhancement FY2015 – April

Supervisor Jackson moved the Board approve the Certificate of Claims (Fund 11) Tourism Enhancement for April FY2015 in the amount of \$6,953.78, seconded by Supervisor McGhee. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

iii. Certificate of Claims (Fund 40) Debt Service FY2015 – April

Supervisor McGhee moved the Board approve the Certificate of Claims (Fund 40) Debt Service for March FY2015 in the amount of \$71,652.40, seconded by Supervisor Jackson. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

iv. Capital Improvement Projects (Fund 30) – CIP FY2015 April - None**v. Supplemental Requests – General Operations – FY2015 – May**

1. Extension	83500-5897; 180301	Miscellaneous Grant Overpayment	\$ 104.00
2. Sheriff	31200-1460; 240111	DMV Grant Reimbursement	\$ 779.88
3. Animal Shelter	35103-3118; 160603	Donations - Spay/Neuter	\$1,000.00
4. PRA	71200-5702; 161202	Spay/Neuter: Baseball Fields	\$ 200.00
TOTAL:			\$2,083.88

Supervisor Campbell moved the Board approve the supplemental for FY2015 – May **(with a correction to PRA [i.e. Baseball – not Spay/Neuter])**, totaling \$2,083.88, seconded by Supervisor Jackson. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

v. Supplemental Requests – General Operations FY2015 – FY2015 – May 2015 (PRA)

1. PRA	71200-5702; 161202	PRA Youth Programs	Baseball	\$ 5,208.00
2. PRA	71200-5706; 161206	PRA Youth Programs	Hockey	\$ 49.90
3. PRA	71200-5707; 161207	PRA Youth Programs	Soccer	\$ 75.00
4. PRA	71200-5708; 161208	PRA Youth Programs	Softball	\$ 2,129.00
5. PRA	71200-5727; 161227	PRA Youth Programs	Jazz	\$ 200.00
6. PRA	71200-5728; 161228	PRA Youth Programs	Picnic Shelter	\$ 100.00
7. PRA	71200-5729; 161229	PRA Youth Programs	Summer Camps	\$ 3,000.00
8. PRA	71200-5730; 161230	PRA Youth Programs	Tae Kwon Do	\$ 744.20
9. PRA	71200-5731; 161231	PRA Youth Programs	Tour de Madison	\$19,039.00
10. PRA	71202-5732; 161232	PRA Youth Programs	Tournaments	\$ 1,535.00
11. PRA	71202-5739; 161239	PRA Youth Programs	Misc. Programs	\$ 126.00
12. PRA	71203-5740; 161240	PRA Youth Programs	Other Programs	\$ 1,010.50
TOTAL SUPPLEMENTS:				\$33,216.60

Supervisor Campbell moved the Board approve Supplemental Requests (PRA) for FY2015 May, totaling \$33,216.60, seconded by Supervisor Jackson. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

Terri Weaver, Sheriff's Office, was present and questioned a supplemental appropriation request she submitted on May 8, 2015 (totaling \$1,590.00 – Blue Ridge Task For salary reimbursement) that has been omitted.

After discussion, the Finance Director noted he will research this item.

After discussion, it was the consensus of the Board to include all supplemental requests for all departments in one document instead of presenting them separately.

7. Minutes**a. #22 through #28**

Supervisor Jackson moved the Board approve Minutes #22 through #28 as presented, seconded by Supervisor Weakley. *Ayes: Lackey, Jackson, Weakley, McGhee. Nays: Campbell.*

8. Discussions/Actions**i. Stream Sweepers' Request – Debbie Manzari. Dominion Power/First Energy (proposed power line)**

The Interim Administrator noted that Ms. Manzari of the Stream Sweeper's Project attended the recent workshop to request waiver of fees for disposal of about two (2) pick-up loads of debris (from the local rivers) at the landfill (i.e. anticipated eight [8] tons at a cost of about \$4,000)..

Supervisor Campbell advised that property owners have indicated they've been asked to pay a fee of .25 cents per linear foot for clearing of their property along the river's edge.

Mr. Bowman was present and clarified that property owners are being asked for a donation (not a required fee) of .25 cents per linear foot for the clearing of their riverfront property.

Supervisor Weakley noted that the Stream Sweepers' Program does provide the ability for local students to participate in various aspects of the program (i.e. documentation, water quality, mapping, etc.) and feels there is some value and experience for those individuals who are selected to participate in the program.

Supervisor Weakley moved the Board waive the disposal fees for the Stream Sweeper's stream cleaning project, seconded by Supervisor Jackson. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

Chairman Lackey asked Supervisor Weakley to contact the representative to clarify the concerns about charging residents per linear square foot for clearing their riverfront property.

Ms. Manzari arrived before closed session and clarified that citizens aren't being asked to pay a fee for the removal of debris from their riverfront property, but are being advised that donations to the Stream Sweepers' Project will be accepted

ii. Department of Social Services [Polycom System]

Valerie Ward, DSS Director, was present and advised of preliminary discussions with the RRCSB regarding the potential use of Polycom equipment and the benefits to the County. This equipment is HIPPA compliant and will allow staff to use "SKYPE" to provide various mental health services (i.e. evaluations [psychological, psychiatric], assessments, etc.). Mr. Brian Duncan, RRCSB Executive Director, has offered to attend a future meeting to speak with the Board about associated costs (\$12,000.00) for the equipment. In closing, it was noted the equipment will:

- ✓ Provide for better efficiency for CSA recipients
- ✓ Greatly assist staff in completing necessary assessments
- ✓ Save CSA dollars
- ✓ Need to be purchased by the County

Concerns from the Board focused on:

- *Supervisor Weakley: Overall value/trade off (i.e. save on costs associated with travel time, fuel, etc.); Ms. Ward and Mr. Duncan will be available to provide further input to the Board if required; noted there is a need for the services and there is a time factor involved; feels any remaining FY2015 funding could be used to fund the purchase of the equipment; many agencies work together to provide services.*
- *Chairman Lackey: Noted prior discussions with the RRCSB to have a mental health provider on site once a week in Madison County.*

Ms. Ward noted there are concerns about the future of the mental health clinic located in Orange, Virginia. She also noted that the RRCSB has advised they will provide tech personnel to assume full responsibility for set-up/operation of the equipment – this will eliminate the need for DSS personnel to provide support.

In closing, it was noted that effective July 1st, "CSA" [Comprehensive Services Act] will be known as "Child Services Act."

iii. Resolution #2015-7 [Adopt & Appropriate FY2016 Budget]

Supervisor McGhee moved the Board approve Resolution #2015-7 [Adopt & Appropriate FY2016 Budget] (as read by the Chair), seconded by Supervisor Weakley. *Ayes: Lackey, Jackson, Weakley, McGhee. Nays: Campbell.*

iv. Parks & Recreation Authority [Update]

Eddie Dean and J.T. Price of the PRA were both present for tonight's request. Mr. Dean provided highlights of PRA projects that have now been completed; a breakdown of allocated funding was provided to show project name and all associated funding. The PRA currently has a working MOU with the school system for sewer and water, but in order to complete projects being proposed today, an additional \$30,000.00 will be required (in County funding) to purchase an additional EDU from the Rapidan Service Authority. County funding used to date totaling \$15,000.00 has been used to fund improvements to the house, electricity hook up for the barn, and water hook up for the house. Although funding is received at Hoover Ridge from various events, these funds aren't enough to cover the improvements being proposed. It was also noted that the PRA has secured donated construction equipment and volunteers that have offered to provide associated labor for today's proposed projects. In closing, it was noted that all citizens can enjoy Hoover Ridge and that improvements to County property will be an overall asset who live and/or visit here.

Comments from the Board focused on:

- Start-up funds allocated for the budget year
- Funding noted for FY2016
- Initial requirements noted in the MOU
- PRA funding (noted in current and past budgets)

Mr. Dean noted that the PRA is unable to raise enough funds (through special events and fundraisers) to maintain the site. It was further noted that if the Board isn't receptive to continue funding to maintain Hoover Ridge, then there doesn't appear to be much future in this endeavor. It was further noted that funding was appropriated (for PRA) and placed into the capital fund but wasn't utilized as 'start up' funds.

Additional concerns from the Board focused on:

- The time frame involved
- Whether to refrain from taking action until the upcoming workshop session
- Assess whether there will be any leftover funding from the FY2015 budget (at the end of the fiscal year)

- The total cost of the proposed PRA project(s)
- Assess whether the County should set aside additional monies in the capital fund (to assist PRA) in the future to assist with proposed PRA projects

Mr. Dean noted it's anticipated that bathrooms can be put into place after the sewer project is done. It was also noted that donors tend to want to see something transpiring before they contribute any funds. In closing, he advised the PRA would like to see the County fund the utility costs and the PRA will handle the purchase of any needed buildings. Funding noted in budget line item #71200 is funding that's been received through PRA activities only (not County funding)- the balance noted as of June 30th of each calendar year is the same balance that will be noted on July 1st of each calendar year.

Chairman Lackey suggested today's proposal be discussed further at the workshop session once all criteria has been presented for review and discussion.

Supervisor Jackson moved the Board appropriate 'end of year funding' totaling \$30,000.00 to the PRA for the outlined projects as presented, seconded by Supervisor McGhee. *Ayes: Lackey, Jackson, Weakley, McGhee. Nays: Campbell.*

v. Admin Building Update & Review Plans & Cost Proposals

The Interim Administrator provided highlights on past projects as initiated by the former Administrator (i.e. consolidation of County offices, conversion of the existing auditorium).

Wes Smith, Building Official, was present and explained the proposed floor plan to include alterations to the existing auditorium; a brief overview was provided on the scope of work and post construction criteria, to include the corridor, storage closet, restrooms, possible replacement of lighting and ceiling grid of the auditorium.

There were two (2) bids received for the proposed project for two (2) options noted as follows:

Option #1 (to include insulation above the new ceiling with a fiberglass wrap insulation)

Option #2 (to include insulation of the space with a foam type insulation of the ceiling hue)

	<i>Base Bid Amount</i>	<i>Option #1</i>	<i>Option #2</i>	<i>Total Bid Amount</i>
• <i>Bid #1:</i> <i>IronBridge Construction, Inc.</i>	<i>\$146,863.42</i>	<i>\$2,500.00</i>	<i>\$1,900.00</i>	<i>\$149,363.42</i>
• <i>Bid #2:</i> <i>Dominion Construction Group.</i>	<i>\$183,700.00</i>	<i>\$2,629.00</i>	<i>\$1,320.00</i>	<i>\$186,329.00</i>

Although the Board members agreed there would be an asset to:

- ✓ Consolidate essential County staff
- ✓ Liquidate any unused County buildings
- ✓ Design a long-term plan to build out at the rear of the admin building (government center)
- ✓ Construct an ADA accessible unisex restroom,

There are concerns regarding the lack of public support to fund any proposed renovations to the auditorium for County office space.

Supervisor Campbell moved the Board reject any and all bids presented for the project, seconded by Supervisor Weakley. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

vi. Dominion Power – First Energy Power Line Update

The County Attorney advised that since the last meeting, letters have been sent to Dominion Power, First Energy, PJM and to REC from the Planning Commission and the County - no response has been received to date. A letter has also been submitted to Dominion Power requesting there be a delay in submission of an application to the SCC until January 1, 2016. A response letter has been received from Dominion Power that expressed they are declining to extend to January 1, 2016; there was no indication as to when the application will be submitted to the SCC.

In closing, it was noted the letter noted that it's the opinion of Dominion Power that:

- They are in compliance with the State statutes
- There have been public sessions held in Madison County
- Representatives have been available to answer questions from the public

Ideas as to how the county could react at this point include:

- To continue to request to receive reasonable information

- Assess whether to consider any affirmative action to delay the filing of an application to the SCC

The Board was reminded of the upcoming joint public hearing (Commission & Board) scheduled for Thursday, June 17th at 7:00 p.m. to amend the Zoning Ordinance (in the business category) to require that a substation be a 'use permitted by special use permit', rather than being a 'use permitted by right.' It was also noted that the Commission has formed a sub-committee to study how the County's Zoning Ordinance (i.e. wording) applies to utilities.

Discussions have also been held with the County Attorney of Orange, Virginia to assess what measures they're researching. The Orange County Board of Supervisors will be discussing the transmission line at their meeting today. The Orange County Planning Commission has requested information (from Dominion Power), but information received has been found to be inadequate. Contact has also been made with Culpeper County and they've expressed an interest in knowing what measures will be undertaken by Madison County.

The County Attorney noted that the transmission line matter may warrant possible litigation; these concerns can be discussed further in closed session.

In closing, it was suggested that a 'link' be added to the County website to contain the correspondence received to date for public review.

The County Attorney advised that contact was made with the SCC earlier today and it was reported that no filing has been done to date.

Supervisor Campbell called for a ten (10) minute recess, seconded by Supervisor Jackson. Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).

Chairman Lackey reconvened the meeting.

9. The Good of the Order – None.

10. Information/Correspondence: None

11. Closed Session –

#1

a. Closed Session:

*On motion of Supervisor Jackson, seconded by Supervisor McGhee, the Board moved to convene in a closed session, pursuant to Virginia Code Section 2.2-3711(A)(7) regarding consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probably litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. *Mr. James Alexander was invited to remain in the closed session]**

With the following recorded: Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).

b. Motion to Reconvene In Open Session:

On motion of Supervisor Jackson, seconded by Supervisor McGhee Weakley, the Board reconvened in open session, with the following vote recorded: Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).

c. Motion to Certify Compliance:

On motion of Supervisor Jackson, seconded by Supervisor Weakley, the Board certified by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code 2.2-3711(A)(7), and 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: Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).

Action taken as a result of closed session

On motion of Supervisor Jackson, seconded by Supervisor McGhee: The Madison County Board of Supervisors unanimously authorized Madison County Attorney, V. R. Shackelford, III, and Attorney, James Alexander, to prepare and file petition(s) of mandamus and/or injunction to seek compliance by Virginia Dominion Power with VA Code Section 15.2-2202.

Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).

#2

a. Closed Session:

On motion of Supervisor Jackson, seconded by Supervisor McGhee, the Board moved to convene in a closed session, pursuant to Virginia Code Section 2.2-3711(A)(1) pertaining to personnel issues, specifically involving personal evaluations and performances, with the following recorded: Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).

b. Motion to Reconvene In Open Session:

On motion of Supervisor Jackson, seconded by Supervisor Weakley, the Board reconvened in open session, with the following vote recorded: Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).

c. Motion to Certify Compliance:

On motion of Supervisor Jackson, seconded by Supervisor Weakley, the Board certified by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code 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: *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

No action as a result of closed session

#3

On motion of Supervisor Jackson, seconded by Supervisor McGhee, the Board moved to convene in a closed session, pursuant to Virginia Code Section 2.2-3711(A)(1) pertaining to personnel issues, specifically involving personal evaluations and performances, with the following recorded: *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

b. Motion to Reconvene In Open Session:

On motion of Supervisor Jackson, seconded by Supervisor Weakley, the Board reconvened in open session, with the following vote recorded: *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

c. Motion to Certify Compliance:

On motion of Supervisor Jackson, seconded by Supervisor Campbell, the Board certified by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code 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: *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

No action as a result of closed session

12. Public Comment: Will be held as close to 6:00 p.m. as possible.

Chairman Lackey opened the floor for public comment.

The following citizens provided public comment:

- Jim Graves (Syria): Concerns pertained to parking at White Oak Canyon; retirement of several good teachers; the use of the school board auditorium for additional county office space; annual fireworks display (at Graves’); sound quality in the auditorium; the need for more business; necessary changes shouldn’t impose a hardship on local real estate taxes.
- Robert Legge (Etlan): Concerns regarding RRCSB proposal to close clinic (Orange, VA) and the proposal to repurpose an old, local hotel in Culpeper.
- John Lain: Reduce the Board from five (5) members to three (3), stagger terms and establish districts in order to initiate cost savings.

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

13. Adjournment:

With no further action being required, on motion of Supervisor McGhee, seconded by Supervisor Campbell, Chairman Lackey adjourned tonight’s meeting.

Doris G. Lackey, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors

Adopted on: July 14, 2015

Copies: Doris G. Lackey, R. Clay Jackson, Jonathon Weakley, Robert Campbell, Kevin McGhee,
V. R. Shackelford, III, Constitutional Officers





Regular Meeting Agenda
Madison County Board of Supervisors
Tuesday, June 9, 2015 at 4:00 p.m.
County Administration Building, Auditorium
414 N. Main Street, Madison, Virginia 22727



Agenda Items

Call to Order

Pledge of Allegiance & Moment of Silence

- 1. Determine Presence of a Quorum / Adopt agenda**
- 2. Constitutional Officers**
- 3. County Departments**
- 4. Independent Committees / Organizations**
- 5. Committee Reports**

a. Shenandoah National Park – Blue Ridge Committee [Bruce Bowman]

6. Finance - Claims

- i. General Operations (Fund 10) General Fund FY2015 – May*
- ii. Certificate of Claims (Fund 11) – Tourism Enhancement FY2015 – May*
- iii. Certificate of Claims (Fund 40) – Debt Service FY2015 – May*
- iv. Certificate of Claims (Fund 30) CIP FY2015*
- v. Supplemental Requests – General Operations – FY2015– May*
- vi. Supplemental Requests – General Operations – PRA FY2015 – May 2015*

7. Minutes:

a. #22 through #28

8. Discussion/Action:

- a. Stream Sweepers' Request – Debbie Manzari*
- b. Department of Social Services [Polycom System]*
- c. Resolution #2015-7 [Adopt & Appropriate FY2016 Budget]*
- d. Parks & Recreation Authority [Update]*
- e. Admin Building Update & Review Plans & Cost Proposals*
- f. Dominion Power – First Energy Power line Update*

9. Good of the Order

10. Information/Correspondence (if any)

11. Closed Session (2.2-3711(A)(1) [Personnel]

12. Public Comment: Will be held as close to 6:00 p.m. as possible

13. *Adjournment*