

MEETING #39- September 8

At a Regular Meeting of the Madison County Board of Supervisors on September 8, 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
Daniel J. Campbell, County Administrator
V. R. Shackelford, III, County Attorney
Jacqueline S. Frye, Deputy Clerk

Agenda Items:

Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum/Adopt Agenda:

Chairman Lackey noted that all members are present; a quorum was established.

Supervisor Jackson moved the Board approve the Agenda as submitted, seconded by Supervisor McGhee: *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

- a. **PRA Discussion:** Valerie Miller, Office Manager, was present to provide insight on the PRA's desire to request an appropriation of funding and the allocation of rollover funding from FY2015; documentation was provided that noted revenue amounts that will be needed as 'start-up funding' for department #71200 line items that have no budgeted funding.

Concerns verbalized by the Board focused on:

- Whether today's request is for additional funding or only for rollover funding
- Why the County should have to appropriate funding collected in July and August
- The fact that funding being discussed is from the new fiscal year and should automatically go into PRA's budget

Ms. Miller noted that the PRA currently has a bill that will need to be paid out of line item #5739 and there is no funding noted in this particular line item. In closing, it was explained that the line items being discussed today had a 'zero' balance at the beginning of the FY2016 budget year – funding noted in the Treasurer's Office will need to be allocated by the Finance Director or by the authority of the Board of Supervisors.

The County Administrator noted an uncertainty as to why the specific line items are showing a 'zero' balance.

Discussions focused on the fact that the MOU denotes that any funds specifically raised by the PRA would be allocated into specific accounts without the need for an appropriation by the County. In closing, it was noted that since today's line items have a 'zero balance', the funding request will need to be appropriate by the County.

The County Attorney suggested the FY2016 budget be amended in order to appropriate funding into the specific line items being discussed in order to eliminate the need to take this type of action on a regular basis.

Supervisor Jackson moved the Board allocate rollover funding FY2015 from budget #71200 into budget #71200 for FY2016 and to add funding into budget #71200 for FY2016 that has been received by the PRA during the months of July and August 2015, seconded by Supervisor Weakley.

Discussion:

- Supervisor Campbell: Concerns focused the amount of times that PRA's budget has been amended; Board voted that no additional supplemental appropriations will be done for PRA; PRA received more funding (through supplemental appropriations) during the past year that what was reported by the Treasurer's Office.
- Chairman Lackey: Questioned whether the PRA could manage funding within their budget internally.
- The County Attorney explained that today's funding being requested isn't noted within the FY2016 budget as adopted.
- Supervisor Weakley: Noted that the line items being discussed bring forth program generated revenue.

Ms. Miller clarified that today's funding being discussed was generated through user fees (i.e. not attained from the County).

After discussion, it was suggested that Ms. Miller advise the PRA Board of today's suggested (as noted by the County Attorney) in order to eliminate the need to approve these types of appropriations on a regular basis.

Ayes: Lackey, Jackson, Weakley, McGhee. Nays: Campbell

PRA MOU

The County Attorney noted that the additional documentation (i.e. property plat, list of scheduled events [dates, times], etc.) has been provided from Ms. Miller and members of the PRA for consideration; a message has also been received from Mr. Eddie Dean, PRA member, to remove motions from the document that relate to the school fields; discussions will be held with the County Administrator before a finalized draft is provided at the next meeting session.

Chairman Lackey noted that the County Administrator has some input on the methodology utilized by Floyd County; suggested a meeting be held with the Board's representatives, the PRA Board, County Attorney and County Administrator to look at implementing some new structure.

Supervisor Jackson suggested the Board move forward with reviewing an updated MOU and perhaps discuss restructuring the PRA at a later time.

2. Constitutional Officers:

a. Sheriff's Office (Budget Line Item #6010): Erik Weaver, Sheriff, was present and requested that remaining from line item #6010 (totaling \$7,981.81) be transferred into the FY2016 departmental budget to cover purchases made in FY2014 that haven't yet been received through state bid (i.e. firearms and various types of ammunition) – funding will need to be taken from another line item in order to reach the full funding request totaling \$8,293.75.

The County Administrator suggested that due to the time frame involved, the County could transfer funding totaling \$7,981.81 from the FY2016 contingency fund to cover the encumbered purchase for the Sheriff's Department (i.e. ammunition, tactical gear), which will increase the department's overall budget.

Supervisor Campbell verbalized concerns about paying for purchases from the contingency fund, and that these types of purchases should be included in the budget process; suggested the County amend the Sheriff's departmental budget instead of taking funding from the FY2016 contingency fund.

Supervisor McGhee moved the Board authorize the County Administrator to appropriate \$7,981.82 from the FY2016 contingency fund to the Sheriff's departmental budget line item #6010 to cover encumbered expenses for the purchase of ammunition and tactical gear, seconded by Supervisor Jackson. *Ayes: Lackey, Jackson, Weakley, McGhee. Nays: Campbell.*

The County Administrator suggested that in the future, the County could consider adopting a policy to define what's carried over from budget year to budget year, as some localities only allow carryover for an actual encumbrance that hasn't been paid for (i.e. similar to today's expense) or may be incurred under an existing contract or a grant related purchase from a specific vendor.

Estimates for Storage Building: The Sheriff provided documentation that contained estimate pricing for the completion of the storage building; four (4) highlighted items are essential for completion in order for the Sheriff's Department to fully utilize their portion of the storage building.

Concerns from the Board focused on:

- Past discussions about the need for shelving, an alarm system and ventilation system
- Discussions about housing vehicles inside the building
- The length of time involved to complete the building
- Whether the work should be placed out for bids
- Selecting a construction manager to coordinate completion of the building

The Sheriff advised that if a spark (from a stored vehicle) causes a spark, everything inside may be destroyed before the fire department can extinguish the blaze. Additional concerns were raised regarding an uncertainty how vehicle fumes (i.e. gas, oil, other fluids) may affect the paper records and other documents being stored in the building.

Supervisor Campbell moved that Supervisor Jackson be designated to look after getting the storage building completed for the Sheriff, and that the County put up \$18,825.00 for the Sheriff (as noted in today's documentation), and authorize these funds to be spent.

Motion died for the lack of a second

The Sheriff expressed appreciation of the aforementioned motion, but urged the Board to review today's information before taking any type of action.

After discussion, it was the consensus of the Board to discuss this matter at the September workshop session.

3. County Departments:

a. Economic Development & Tourism

i. Taste of the Mountains Highlights: Tracey Gardner, Economic/Tourism Director, was present and advised the recent festival was a great success (10,000+ attended); vendors had an excellent experience and did well with the sale of their merchandise; a ribbon cutting will also be planned for the ice cream shop (next to the Madison Inn); 160+ vendors participated in the event; the "LOVE" sign will be picked up from the library lawn at a later date; the local shelter was successful in finding 'forever homes' for their pets; generated revenue was good.

In closing, the Board thanked Ms. Gardner for all of her hard work to make the annual festival a great success.

b. Erosion & Sedimentation

i. GIS Data Request [Fergus]: Brian Daniel, E&S Technician, was present and referred to an email received from Mr. Craig Fergus, Intern, with the Smithsonian Conservation Biology Institute (located in Front Royal, VA), to request a fee waiver for a complete parcel data layer at a cost of \$100.00.

Concerns from the Board focused on:

- Whether the applicant revealed how the request would be used
- The justification for the request and how approval of the request would benefit the County
- Whether the data being request could be used against the County in any way
- Why the County should waive the request being submitted

Mr. Daniel noted that according to the applicant, the request is being presented in order to support land use planners in Northern Virginia. Additionally, he noted that the applicant did indicate that he had no interest in attaining owner information for the parcels involve. In closing, he noted that the information being request can be done by FOIA, or the applicant can access the County's GIS online.

After discussion, it was the consensus of the Board to decline the request to waive fees associated with a parcel layer request.

4. Independent Committees/Organizations:

a. Central Virginia Partnership for Economic Development – Helen Cauthen, Director: Helen Cauthen, Director, was present and provided highlights on the partnership's mission (i.e. serves eight (8) localities; the partnership collaborates with various other entities to provide economic services, education, and operates with a Board that consists of County Administrators, private sector members to include those from higher educational entities, and other local support representatives. An economic overview was provided that focused on:

- The annual FY2015 report
- Madison County fact sheet
- Agri-business, food processing, technology
- Bold ventures
- Demographic profiles
- Partnership serves as a host for the Piedmont Workforce Network

Chairman Lackey noted that the County is very positive about becoming a member of the partnership, and is excited that a representative of the workforce network is onsite each Friday at the literacy council to provide assistance to citizens seeking employment, specialized training and educational assistance.

b. SNP – Blue Ridge Committee – Bruce Bowman: Bruce Bowman, BRC representative, was present to provide input on the SNP policy for retrieval of hunting dogs in the park; suggestions from hunters will be provided to the superintendent for review; meetings have been scheduled on September 29th and October 1st at 6:00 p.m. at the park headquarters at 6:00 p.m. No updates have been made to the park's policy to date.

Supervisor Weakley expressed a desire to have the Superintendent issue a response that could be treated as a 'working memorandum' regarding this issue.

Supervisor Campbell noted that the park was in the process of revising their policy during the past year; a meeting was held with the park's enforcement office where regulations were shared that were in place at that time.

In closing, the Board thanked Mr. Bowman for his work on the BRC and expressed gratitude for the hunt club's desire to meet and request assistance from the BRC on today's matter. It was noted that the Board of Supervisors doesn't have a position on today's matter being discussed.

5. Committee Reports: None

6. Finance: Post Year

i. Claims - August 2015 - FY2016

Vendor Payments Register:

The County Administrator noted that two (2) sets of vendor payments have been provided (i.e. \$107,913.87 and \$77,608.00) to the Board for review and action.

Supervisor Campbell moved the Board authorize the County Administrator to move forward with payment (totaling \$107,913.87 and \$77,608.00) as presented, seconded by Supervisor Jackson. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

The County Administrator noted he intends to provide the Board with current budget month-to-date reports in the future.

7. Minutes

a. #36 & #37

Supervisor Jackson moved the Board approve Minutes #36 and #37 as presented, seconded by Supervisor Weakley.

Discussion:

Supervisor Campbell noted that he voted "Nay" for minutes #37, and not "Aye" as noted.

Supervisor Jackson moved to amend his original motion to reflect that Supervisor Campbell did not vote in favor of Minutes #37 as stated.

Clarification was made by the Deputy Clerk that Supervisor Campbell did, vote "Aye" for the set of minutes based on the recording of the meeting session.

Supervisor Jackson moved to retract his amended motion as previously stated:

Ayes: Lackey, Jackson, Weakley, McGhee. Nays: Campbell

8. Discussions/Actions

i. Emergency Services Mutual Aid Agreement, Robert Finks, Director: Robert Finks, Director of Emergency Communications, was present and advised that the County Administrator was provided a copy of the mutual aid agreement involving Culpeper County; a meeting was held with the County Attorney which led to the need for a few minor changes to be incorporated. Once Culpeper County accepts the revisions, the document will be presented to the Board for action. In closing, a review of all mutual aid agreements will be reviewed for clarity.

The County Administrator advised that Virginia Code requires governing Boards to take action on all mutual aid agreements.

Supervisor Weakley questioned whether he'd need to recuse himself from voting since he is under the employ of Culpeper County, to which the County Attorney noted wasn't necessary.

ii. Red Ribbon Week Designation (October 23-31) [Resolution #2015-12]: The Deputy Clerk advised that the Board adopted a resolution last year to honor the designation of Red Ribbon Week; today's request was presented by Cpl. Cody Jackson for consideration and action.

Supervisor Campbell moved the Board approve Resolution #2015-12 declaring "Red Ribbon Week" (October 23-31), as presented, seconded by Supervisor McGhee. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0)*

iii. Thomas Jefferson Area Criminal Justice Board Vacancy: Chairman Lackey advised that Michael Styles, County representative, has advised he will need to resign from serving due to increased work responsibilities. After contacting the TJCJB to obtain a description of credentials and the type of work that will be required of the future incumbent, it was suggested that Supervisor McGhee be designated to serve as the County's representative.

Supervisor Jackson moved the Board appoint Supervisor McGhee to serve as the representative for Madison County on the Thomas Jefferson Area Criminal Justice Board, seconded by Supervisor Campbell. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

iv. PJM Discussion Highlights: Chairman Lackey noted that representatives from PJM met with Board representatives and Mr. Alexander to discuss County concerns on the proposed transmission line; representatives provided input on their work, territory involved, and obligations, and developed some new considerations after meeting with County representatives. In closing, it was noted that PJM's planning board will meet again later this week, and it's anticipated that Mr. Alexander will be able to attend the session.

Additional highlights:

- Representatives were receptive to County's concerns
- It's felt that a probable solution can be attained that will not affect the County
- Dominion Power may see fit to re-evaluate the proposed plan
- Representatives appear to be re-evaluating alternative options (i.e. singular upgrades to an existing route)

The County Attorney noted that Mr. Alexander is planning to attend the upcoming PJM meeting later this week; an agreement was verbalized regarding the importance of the County to follow up on the recent meeting. In closing, he noted that the published agenda doesn't denote anything on the proposed line, but it's felt the item could be brought up for discussion in some way.

Additional reference was made to:

- A news article about the unlikelihood that a utility corridor will be placed in the County, and
- Efforts by the Commission regarding utility corridors and the utilization of existing right-of-ways

v. RRCS – Madison Senior Center Request to Waive Fees: The Madison Senior Center has submitted a letter to request a fee waiver for work that will involve the completion of a patio and expansion of the pavilion at the center.

Supervisor McGhee moved the Board approve the request to waive fees for the RRCS – Madison Senior Center, totaling \$111.20, as presented. *Ayes: Lackey, Jackson, Weakley, McGhee. Nays: Campbell.*

vi. Update on Finance Director's Position: The County Administrator advised he's in the process of finalizing arrangements to hire an Interim Finance Director for a period of six (6) months as a 'contract relationship' and not a regular employee. If the Board agrees, he suggested that the position be redefined after about 3-4 months prior to recruiting a permanent, full-time employee for the County. In closing, he expressed appreciation to have a highly qualified individual to work as an interim.

10. Information/Correspondence:

RRCS – Madison Senior Center

Supervisor Campbell explained that he disapproved the fee waiver request (for the senior center) due to the building being owed by a private citizen who collects rent for the center, and the fact that full details weren't provided for information.

Blue Ridge Heritage Committee

Chairman Lackey advised that Jim Lillard of the Blue Ridge Heritage Committee has secured a \$2,000.00 grant to assist with the costs for the plaque for displaced families that will be erected at Criglersville; a rendering was provided to show the work that has been done thus far at the sight.

PRA

Supervisor Jackson noted that youth football will be holding a fundraiser on October 17th that will consist of a corn hole tournament.

Central Virginia Economic Partnership:

Supervisor Jackson noted that based on information provided by the partnership, Madison's economic status is improving (i.e. decreased unemployment rate – increase in employment).

Central Virginia Regional Jail:

Supervisor McGhee advised of the upcoming meeting of the regional jail; the class action suit has now been revised (i.e. possible discussion in closed session); County is urged to remain abreast of this matter; liability costs for jail personnel have been covered through the treasury department's risk management division; emphasis was also noted on proposed future changes to the administration of the criminal justice system as a result of prison reform.

The County Attorney noted that based on the existing agreement (CVRJ & the County) routine inmate medical expenses are the responsibility of the inmate's locality of origin; therefore, he's unsure how the existing suit will have any effect on Madison County.

Chairman Lackey noted that during a recent visit to the Albemarle Regional Jail, techniques were discussed that would allow inmates to be hospitalized through the use of Medicaid coverage.

Miscellaneous:

County Website: Chairman Lackey suggested the Board consider upgrading the County's existing website.

James Alexander was present and noted that the recent PJM meeting didn't address the proposed transmission line; he plans to attend the next meeting; noted that federal rules will change effective January 1, 2016 on the proposed power line.

Chairman Lackey called for a ten (10) minute recess.

Chairman Lackey reconvened the meeting and proceeded to the public comment opportunity.

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

Chairman Lackey opened the floor for public comment.

The following individuals provided public comment:

- Mary Hinterman (Piedmont Regional Dental Clinic): Provided updates on the various programs being offered to those in need of comprehensive dental treatment and routine care.
- Edward Napier: Thanked County for improved sound quality and welcomed new County Administrator.
- Steve Wagner & Bonnie Utz (Madison Library Board): Thanked the County for continued support; local library is no longer threatened with losing state funding (now at basic median level).

Supervisor Campbell requested to receive an update total of the funding shortfall for use during the upcoming budget preparation process.

- Dave Ashley: Feels regional jail inmates are doing a fine job; urged the County to forward a letter of appreciation (to the regional jail) for inmate services provided to the County.

Public comment opportunity closed.

Chairman Lackey advised that the Board will need to enter into closed session; no action will be taking following the session.

11. Closed Session –

a. Closed Session:

On motion of Supervisor Jackson, seconded by Supervisor Weakley, 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 personnel evaluations and performances, and Virginia Code Section 2.2-3711 (A)(7), pertaining to consultation with legal counsel concerning specific legal matters, 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 McGhee, 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 Virginia Code Section 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 as a result of closed session:**

Supervisor Jackson moved the Board authorize the County Administrator and County Attorney to come up with a contractual agreement with the Interim Finance Director, seconded by Supervisor McGhee. *Ayes: Lackey, Jackson, Weakley, Campbell, McGhee. Nays: (0).*

12. Adjournment:

With no further action being required, on motion of Supervisor Campbell, seconded by Supervisor Jackson, 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: October 13, 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, September 8, 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

a. PRA Discussion

2. Constitutional Officers

a. Sheriff's Department (Budget Line Item #6010)

3. County Departments

a. Economic Development & Tourism

i. Taste of the Mountains Highlights, Tracey Gardner, Director

b. Erosion & Sedimentation

i. GIS Data Request [Fergus], Brian Daniel, E&S Technician

4. Independent Committees / Organizations

a. Central Virginia Partnership for Economic Development – Helen Cauthen, Director

b. SNP – Blue Ridge Committee (Bruce Bowman)

5. Committee Reports

6. Finance

a. Claims for August 2015 – FY2016

7. Minutes:

a. #36 & #37

8. Discussion/Action:

a. Emergency Services Mutual Aid Agreement, Robert Finks, Director

b. Red Ribbon Week Designation (October 23-31) – Resolution #2015-12

c. Thomas Jefferson Area Criminal Justice Board Vacancy

d. PJM Discussion Highlights

e. RRCS – Madison Senior Center Request to Waive Fees

f. Update on Finance Director's Position

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

10. Information/Correspondence (if any)

11. Closed Session [2.2-3711 (Personnel & Contracts)]

12. Adjournment