

## MEETING #15 – April 26

At a Regular Meeting of the Madison County Board of Supervisors on April 26, 2016 at 4:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chairman  
Jonathon Weakley, Vice-Chairman  
Robert Campbell, Member  
Kevin McGhee, Member  
Charlotte Hoffman, Member  
Daniel J. Campbell, County Administrator  
V. R. Shackelford, III, County Attorney  
Mary Jane Costello, Interim 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:

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

Chairman Jackson called for any additions to today's Agenda:

Suggested amendments to the Agenda included:

- Move Item 10d - Airbnb from "Old Business" to Item 4a under "Constitutional Officers"
- Add Item 6a (CIP Committee Appointment)
- Insert "Closeout on School Project" by Jim Nelson at random

Supervisor Campbell moved the Board approve today's Agenda as amended, seconded by Supervisor McGhee. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

#### 2. Closed Session [2.2-3711(A)(1) - Pertaining to a discussion of candidate(s) for employment or appointment to authorities, boards or commissions, specifically the Germanna Community College Board, and Finance Director Contract]

##### a. Closed Session:

On motion of Supervisor Weakley, seconded by Supervisor McGhee, the Board convened in a closed session, pursuant to Virginia Code Section 2.2-3711(A)(1), pertaining to discussion of a candidate(2) for employment or appointment to authorities, boards or commissions, specifically the Germanna Community College Board, and Finance Director Contract, seconded by Supervisor McGhee. *Aye: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

##### b. Motion to Reconvene In Open Session:

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

##### c. Motion to Certify Compliance:

On motion of Supervisor Weakley, 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 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: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

Chairman Jackson advised the public that tonight's meeting format will be a bit more flexible.

#### 3. Public Comment:

Chairman Jackson opened the floor for public comment; with no comments being brought forth, the public comment opportunity was closed.

a. **Closeout on School Project – Jim Nelson:** Jim Nelson presented notebooks containing all contents on the school's CIP Project; the final bills on the project will be paid in May 2016; project was very successful and was a joint endeavor between the Board of Supervisors and the Madison County School Board; accolades were verbalized to the Superintendent (Matthew Eberhardt), Clerk of the Works (John Barrett), School Finance Officer (Tina Cropp) and to the employees of Blair Construction Company, Inc. He further noted that the contractor did good quality work; additional school items are still needing to be completed (as a part of the CIP plan) which include:

- ✓ Paving of the parking lot
- ✓ Replacement of windows at the middle school

In closing, he noted that a CIP is actually 'indefinite', as there is always work that's needed on county and school facilities. Additional items of interest focused on:

- ✓ Moving forward with continued initiatives to reduce utility costs (i.e. electricity)
- ✓ Replacement of HVAC, wiring, plumbing items and restrooms (Madison Primary School)

The Board of Supervisors thanked Mr. Nelson for his involvement while on the school board, and also thanked school personnel for all their assistance and involvement with the school's CIP project.

#### Comments from the Board:

- *Supervisor Campbell: Verbalized initial skepticism of the project; feels that John Barrett served well as the Clerk of the Works for the project; project was done within budget and in a timely manner; feels the MOU between the governing bodies played a huge part in outlining specific details for the project (i.e. type of work, budget, etc.), and contributed to the success of the project; feels this endeavor was an excellent use of taxpayer resources.*

**b. CIP - Committee Appointments:** Chairman Jackson noted that the Board will need to formally appoint two (2) members to serve as the County's appointees.

Supervisor Weakley moved the Board reappoint Supervisor McGhee and Supervisor Campbell to serve as the Board of Supervisor's liaisons on the CIP Committee, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

#### 4. Constitutional Officers:

**a. Airbnb Review Questions:** The County Administrator referred to a previous statement (from the County Attorney) that the Commissioner of the Revenue is elected and charged with ensuring equitable application of state tax laws; however, with platforms such as Airbnb, there is statewide concern; there has been much discussion in the General Assembly in an effort to be certain that Airbnb and VRBO platforms stay equitable as is the case for B&B's and hotels. It's also deemed that because of the aforementioned desire, the General Assembly postponed initiative any legislation.

During the prior meeting, Brian Daniel, Commissioner, expressed the importance of trying to apply local tax requirements in a uniform manner, and also noted there is no 'room' in which to provide an exemption for properties designated through the Airbnb platform, based on state code requirements. Reference was also made (to a prior comment from Supervisor Hoffman) regarding business personnel property and the fact that the County may become bombarded if an exemption is provided to some lodging establishments and not others. Additional input focused on SB416 which is the General Assembly's 'Limited Residential Lodging Act' and will be discussed as studied by the Virginia Housing Commission - a report will be provided to the General Assembly by December 1, 2016 for discussed as its next session. In closing, he noted that it may behoove the County to:

- Consider keeping things 'as they are presently'
- Assess what transpires from the study
- Ask the County Attorney to assess (from a legal standpoint) whether the County can legally modify requirements for Airbnb and remain equitable for other types of lodging

And to realize that:

- It's uncertain if the state statute will legally allow the County to make any modifications for Airbnb establishments that will prove to be equitable for other lodging establishments
- There are currently twenty-six (26) local establishments that participate in the Airbnb platform

The County Attorney also noted that in preparation for enacting the new tax rates (in the County) for the next fiscal year, he and the Commissioner reviewed details of the state enabling statute and exemptions that currently exist; it was also stated that there are cases under the state code that aren't clearly dealt with, and that the State of Virginia operates under the enabling statutes as recommended by the General Assembly. In his opinion, the County 'doesn't have the legal authority' to 'go on your own' with this matter. He further clarified that the Commissioner of the Revenue is the elected official charged with making these types of judgments, and this individual also has the constitutional authority to carry out his job. In closing, he feels:

- The Commissioner is doing his job
- At times, there are 'gaps' within the State Code
- State of Virginia operates under the enabling statutes as adopted by the General Assembly
- County doesn't have the legal authority to 'go out on its own' with this matter
- Commissioner has the constitutional authority to make these types of judgments
- The Commissioner is doing his job
- Constitutional Officers are reminded that they must follow the enabling statutes adopted by the General Assembly

In closing, he advised that the General Assembly is 'struggling with this issue' and has charged a committee to study the matter.

Brian Daniel, Commissioner of the Revenue, was present and suggested the County wait to see what information the committee work group reports to the General Assembly at their next session, at which time it's anticipated that a more concrete definition and/or interpretation will be provided to the General Assembly concerning residential lodging and associated taxation.

#### Comments from the Board:

- Supervisor McGhee: Questioned the definition of "Airbnb" and asked how these types of property differ (from the County's perspective) from other types of lodging here (i.e. B&B establishment).
- Supervisor Campbell: Noted that he believes in a 'process'; feels that when the (TOT) ordinance was enacted, questions weren't completely answered as to how the tax would be carried out; questions (pertaining to the TOT); feels the former County Administrator told the former Commissioner how to handle the tax; suggested the County follow a complete process when things are enacted and not once the process is underway; noted that the County is a business and should be operated as such; feels that (in his opinion) the Board of Supervisors is charged with seeing that things are done appropriately within the County.
- Supervisor Hoffman: Concurred with the fact that the Commissioner is charged with adhering to the guidelines; also noted that based on the County Attorney's comments, the Board has no authority to initiate any changes; feels the County needs to remain 'as is' on this matter; noted that other businesses are required to pay tax on everything (i.e. lights, computers, printer, chairs, desks, etc.); noted that the Commissioner is 'doing his job' and should continue in this vein. .
- Supervisor Weakley: Concurred with the fact that the matter is under the Commissioner's 'per view' and not the County.
- Chairman Jackson: Also concurred with aforementioned comments; also noted that the Commissioner will work with people in order to attain a resolution; feels that items used in the course of a business are assets and should be treated as such; also feels that Airbnb is a 'business venture' and should be taxed like any other business; suggested the process (being utilized by the Commissioner) continue until the State advises the County to do otherwise.

#### Citizen Comment:

Leri Thomas was present and read the following statement:

*"The reason I prepared written comments for the Town Hall was so that there would be no misunderstanding of my statement; in light of what I have read in the minutes from the last Supervisors' meeting, some clarification or restatement is apparently necessary. First, I never suggested that Airbnb hosts should be treated differently than other vacation rentals, therefore perhaps some of my concerns can relate more broadly than just Airbnb hosts. That said, a variety of hosts, including Bed and Breakfasts advertise on Airbnb. I can only speak for the farm stay variety rental and we list on Airbnb and the Virginia.org website; that is the way we find customers. Noted (to Supervisor Hoffman) that 'if you re-read my statement, I never suggested that full-time landlords should pay additional tax and didn't discuss the contents of their property; they could rent furnished homes if they wanted to; rather, I stated that vacation variety less than thirty day rentals bring revenue into the County in the form of guests spending, and questioned why we are taxed when we're benefitting the County; it's my understanding that transient occupancy tax is separate and apart from business property taxes and it seemed like in the minutes, the County Attorney had comingled the transient occupancy tax with the contents tax when he said "we have to apply state law." The transient occupancy tax is a County ordinance and the business tax is from the state; she's unsure if the County ordinance has anything to do with business content, but maybe it does."*

*Moving on to Mr. Daniel's comments: "I would refer you to the statement that most owners place a lump sum on all content items when they hand in their evaluation form; the former Commissioner of the Revenue insisted that we provide a detailed inventory of our contents along with their source, date of procurement and price; I'm offering you an example of our inventory which she ignored and assessed us with her own estimated value; now I want to know why that was necessary when we too could have supplied a lump sum estimate of value; there have been mixed messages and it's not this Board's fault or Mr. Daniels' fault, but it is the result of the former County Administrator arbitrarily imposing something, and the former Commissioner of the Revenue trying to do her job; now things are sort of a mess...." "As I mentioned before, we are NOT a B&B. We do not live on premises, nor do we have guests sharing a house with other guests. We are not a hotel. We are not fulltime landlords. We do rent less than 50% of the time. We use these houses for other purposes (residential, have friends come and stay). We do not own multiple units. I own 1.5 units and Mr. Jarrell owns 1.5 units. We nevertheless share the tasks of maintenance, greeting guests, and going to supervisors meeting. To my knowledge, no ordinance other than the Transient Occupancy tax ordinance was enacted. The state business property tax was already there. We are farmers. We own houses. We want to be able to sustain our farm and property. That is why we rent our houses as vacation properties. Farming is our fulltime business. The IRS views our rentals the same as conventional rentals. We are not required to pay social security tax on our rental income. We do not depreciate our contents; I've consulted with an accountant who told me that if I had personal property in these houses that I intended to keep, then that was not part of the business property - family heirlooms are on loan to the house because I use the house for other reasons. To refer to our 'rentals' as Airbnb business, is a misnomer. Airbnb is simply a listing platform that is not much different from Virginia.org, in that respect, other than the fact that they assist their clients by collecting the fee, the deposit and distributing it, and they are currently working on collecting the tax and distributing it, which everyone seems to think is a great idea, which would make us more honest than most of the other vacation rentals; were going to file a 1099 each year that comes from Airbnb and they'll distribute all our taxes. My biggest beef is the fact that when Madison County was authorized to take the transient occupancy tax, the County went for the 'whole hog' (5%) when other Counties collect 1%-2%, and then the County decided to use business property tax, which is the worst part of it. Applying Transient Occupancy tax and contents tax to business is nothing new. Vacation rentals have been in this county since tourists and hikers began coming here. Since before the Park was formed. Since Skyland was built. Which call to mind one last question: How much transient occupancy tax and contents tax does Shenandoah National Park pay Madison County? I just want everyone to be on the same page and I want you to apply the code evenly to everyone, and I would like a firm definition of business for this sort of operation property like you have for automobile. My lawyer says he doesn't pay taxes on everything....he pays taxes on equipment and that's it. We need some definition; if we were to rise up to a higher level of abstraction where we can call these so called businesses vacation rentals (which what they were before they multiplied) (i.e. a little cabin for rental), but now it has become a popular thing to do, and you have the technology to accomplish it, it has become more widespread and common."*

In closing, she verbalized appreciation to the Board for addressing her concerns which is something that 'has never happened before in an immediate manner.'

**Comments from the Board:**

- *Supervisor McGhee: Questioned if there is any latitude to address the 'less than fifty percent [50%];*

Mr. Daniel noted that the State specifically spells out a guideline for vehicles with less than fifty percent [50%]; however, the code doesn't contain specific information pertaining to assessing business/personal property any differently if used less than fifty percent [50%] of the time. It was also noted that there isn't anywhere to place a 'farm vacation rental' in order to exempt or tax the property at a specific rate.

Ms. Thomas noted that if the property were addressed as a 'vacation rental' (as opposed to a farm vacation rental), more could probably be done.

The Board thanked Mr. Daniel for his input on tonight's item of interest.

Chairman Jackson advised Ms. Thomas that the Board will continue to discuss tonight's concerns.

**5. County Departments:** The County Administrator provided two (2) handouts pertaining to forms/checklists for the Zoning Department and the Building Department; all members were asked to review the documents and present any questions to the appropriate department head if necessary.

Chairman Jackson noted that County personnel is working very proactively with Mr. Scott to address the concerns presented at the recent meeting concerning his new business endeavor; efforts are being done to keep the project moving forward.

**6. Committee/Organization Reports:****a. CIP Committee Appointment (Topic discussed under Item 2b)****7. Finance:****a. Claims for April 2016- FY2016**

Mary Jane Costello, Interim Finance Director, advised that two (2) sets of disbursements were presented with a total of \$143,715.61.

**Items of interest:**

\$41,000.00	(E911 equipment)
\$ 9,752.00	(Contribution to the Madison County Library)
\$15,086.00	(Payment to VA Tech for Salaries at Extension Office)
\$ 5,010.00	(Weaver Works, Inc. [Madison County Transfer Station])

Supervisor McGhee moved the Board accept the total disbursements of \$143,715.61, seconded by Supervisor Hoffman. **Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).**

**YTD Financial Package:**

Ms. Costello provided highlights of the year-to-date financial report by fund, by department, and detailed 'fund to budget' for information and review. Highlights focused on the following points:

- ✓ FY2015: 83% expended
- ✓ General fund is a little less than usual
- ✓ School fund: 67%-68% expended [due to school having two additional months of payroll]
- ✓ VPA: 72% expended
- ✓ CSA: 82% expended
- ✓ CIP Fund: 23% expended (primarily due to school expenditures)
- ✓ Debt Service Fund: 98% expended (one interest payment still due on line of credit)

**General Fund:**

- ✓ Fire Department: 35% expended (all budgeted funding will be spent by end of fiscal year)
- ✓ Regional Jail: \$280,000 more remaining (expect this to remain in place [reserve in FY2016 budget])
- ✓ Inmate medical expenses may cause this to decrease
- ✓ Transfer Station: 68% expended (\$168,000 remaining – waiting on bill from Waste Management Services, Inc.)
- ✓ Facilities: 71% expended (\$51,000 remaining)
- ✓ Contingency Fund: Original balance: \$448,000; no accrued leave has been used; remaining balance is \$258,000 (i.e. \$40,000 for accrued leave)
- ✓ Transfers: \$3,400,000 remaining (all related to the schools)
- ✓ VPA & CSA; Numbers shows both as being fully expended
- ✓ Debt Service: 90% expended

- ✓ Assessor Fund :-\$841.00 (Commission of the Revenue)
- ✓ Legal Services: 95% expended (\$3,700 remaining); unbudgeted legal expenses related to the transmission line issue)
- ✓ \*Contingency may be used to cover any overage\*
- ✓ Rescue Squad: 95% expended
- ✓ LODA: 96% expended
- ✓ No large negative variances noted; no main issues noted

**Comments from the Board:**

- *Supervisor Campbell: Questioned the estimated leftover funding at the end of FY2015; noted that the County is a business*

Ms. Costello noted that she was unable to provide an estimate at this time; noted that greater revenues were received during the fiscal year; advised that much can happen between now and the end of the fiscal year.

- *Supervisor Weakley: Thanked Ms. Costello for today's financial report*

**8. Minutes:**

**a. #14**

Chairman Jackson asked for any amendments/corrections.

Supervisor Campbell noted that (in his opinion) the minute format is much better; also noted that some of his comments may have been a bit outspoken, but no ill will was intended towards County employees; feels County employees do a good job, and that individuals must be able to accept some criticism.

Corrections:

- "Mr. Kent" should be "Kent Higginbotham" (noted by Supervisor Hoffman)

Supervisor McGhee moved that Minutes #14 be approved as amended, seconded by Supervisor Campbell. Ayes: *Ayes: Lackey, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**9. New Business:**

**a. Sam Utz, Director of Technology, MCPS – Google Docs:** Sam Utz, Director of Technology was present to provide input on server issues and to present input on Google Apps for Work that has been used at in the local school system for the past five (5) years for email and other avenues. Presentation highlights focused on the following:

- Server equals increased expense and maintenance costs each year
- Does the County have a back-up plan in the event the server goes down
- Is the County compliant with federal laws

The Google App program offers:

- Security
- Costs about \$100 per user
- The capability to utilize multiple platforms
- Maryland governmental services all use Google Apps
- Programs are federally grant certified and compliant
- IT certification provides technology security and online document sharing
- Program is HIPAA compliant
- Program offers online simplified version (free of charge)
- Offers an online data source platform that allows a unlimited amount of data for each user

Mr. Utz advised that in speaking with the Mid-Atlantic representative (with Google Apps), it was advised that:

- Other local governments are also experiencing problems with increased server expenses
- Google has put in an RFP with the State of Virginia (through VITA) that would make Google the main partner with local governments. Google Apps platform has worked great for the school system
- Support is available 24-7

**Comments from the Board:**

- *Chairman Jackson: Feels that Google Apps provides the simplest technology information; questioned if "Vault" will preserve extend the life of the County's server; also feels that Google Apps will eliminate the need for the existing licensing agreement the County has with Microsoft.*
- *Supervisor Campbell: Referred to the amount of funding the County spent on the software program offered by Tyler Technologies, Inc. in the past year.*

- *Supervisor Weakley: Thanked the school system for tonight's presentation; verbalized favor with cooperative actions between the school and County; also referred to the fact that the County needs space to store old emails (for past employees) and a need to find ways to better manage these older records; expressed an interest in having further discussions on technology in an effort to find new ways to 'partner' with the school system and to improve the current ways the County does things.*

Mr. Utz advised that once existing data is pulled (from the server) and migrated to Google Apps, the County can wipe the existing server and use it for other needs; Google has its own online server; also noted that Google Apps doesn't provide all the features similar (i.e. power point, excel, and word), but does provide basic set up (i.e. slides, excel formulas, etc.). In closing, he noted that pricing will depend on what the County currently has in place; feels that the platform provided with Google Apps will meet the County's daily needs, and will also eliminate the existing problems (i.e. shutdown of email, server, etc.).

- *Supervisor McGhee: Noted that there are also concerns about hardware; also feels the County can itemize needs in order to make an informative decision.*

Mr. Utz also recommended that when the County reviews current costs, consideration should also be given to:

- Initial costs and set up
- Estimated funding (for the service)
- Hours/costs associated with existing maintenance services (on average)
- Assess whether a back-up plan is in place (in the event there is a fire or the server crashes)
- Whether there is a plan of action in the event repairs could take several days to complete

In closing, he noted that the County will need to do what's best from a financial standpoint; however, before moving forward, all concerns should be covered.

- *Chairman Jackson: Noted that the County is looking at replacing the server (at a cost of \$54,000+); servers have a short life span; feels the costs for Google App appear to be cost positive and more reasonable; County will be doing an inventory of technology in the coming fiscal year which should provide more insight; Google Apps has been in place for the past several years, but the County hasn't heard anything about the platform; feels the program could provide a potential savings.*

Brian Daniel, Commissioner, noted that the Google Apps platform does provide security and will be a definite asset for his department. He urged the Board to talk with all County departments to attain input and assess whether all needs will be met before making a final decision to secure the product. In closing, he also stated that the program is a different from the Microsoft software program the County currently utilizes.

The County Administrator noted that initial discussions touched on linking the Sheriff's Department and the Commonwealth Attorney's Office (as suggested by Ms. Berry), which he suggested the County research first, and then possibly expand the core apps to the departments that can best benefit from the platform.

- *Chairman Jackson: Questioned if the County were to customize its needs, would the cost be based on only what's needed.*

Mr. Utz recommended a plan that would cost \$100.00 per month per user; a less expensive plan of \$50.00 per month for basic users is also available, but doesn't allow for bulk privileges (i.e. unlimited email storage).

The Board thanked Mr. Utz for tonight's presentation, and thanked all school personnel that were present.

**b. Contract Extension – Finance:** Supervisor Campbell moved the Board approve the contract extension for the Finance Director as presented, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

Supervisor Campbell explained (to the public) that the Board entered into a contact with Ms. Costello (to serve as the Interim Finance Director) which was slated to end June 30, 2016; the Board has now agreed to extend the contract to be effective through August 31, 2016 in order to secure her assistance with the fiscal year-end close out, and to also provide training for the future full-time Assistant County Administrator/Finance Director the County will be seeking to hire.

Chairman Jackson noted that Ms. Costello and the County Administrator have worked diligently, and have been invaluable (to the County) in getting the financial process back on track.

**c. Fireworks Permit – Graves' Mountain Lodge:** Chairman Jackson advised that the County has approved this type of permit numerous times.

Supervisor Campbell moved the Board approve the Fireworks Permit submitted by Graves' Mountain Lodge as presented, seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**Discussion:**

Supervisor McGhee: Suggested the Board be consistent, as a prior permit was approved (for Arrowhead Farms) with a cut-off time of 'prior to 11:30 p.m.'

Supervisor Campbell amended his motion to put a cut off time of 'prior to 11:30 p.m.' for the fireworks display (as initiated for Arrowhead Farms), seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**10. Old Business:**

**a. Scenic River Designation – DCR Representative on May 10<sup>th</sup>:** The County Administrator advised that a representative from DCR is scheduled to make a presentation to the Board on May 10<sup>th</sup>. Based on prior concerns, the Board was asked whether the intent is to move forward with scheduling the presentation by Ms. Crump of DCR. Initially, the Board wanted to assess whether the adjoining localities (along the Rapidan River) would be participating in the scenic river designation. To date, it has been noted that neither Orange County or Greene County plans to move forward with the aforementioned designation, and that there has been opposition verbalized by some property owners along the Rapidan River.

**Comments from the Board:**

- *Chairman Jackson: Questioned whether any of the Board members were in favor of initiating the proposed designation.*
- *Supervisor Campbell: Noted disfavor of the designation, as he feels this will relinquish rights to a democratic organization; also feels the designation isn't worth all the hassle (i.e. upsetting property owners).*
- *Supervisor McGhee: Questioned whether rights will be relinquished; also referred to the decision by adjoining localities.*
- *Supervisor Weakley: Doesn't feel there is a need for the designation.*
- *Supervisor Hoffman: Noted disfavor of the designation and doesn't see any benefit.*

Supervisor Campbell moved the Board 'squash' the request, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

Chairman Jackson authorized the County Administrator to provide DCR's representative with today's action to 'squash' the scenic river designation request.

**b. Update on County Surplus Vehicles:** The County Administrator advised that surplus vehicles will be advertised on May 13<sup>th</sup> for eight (8) vehicles (Durango is at the bus shop); Sheriff's vehicles have been delivered; bids will close on May 26<sup>th</sup>.

**c. Resolution – Transmission Line:** Supervisor Weakley noted that the Board desired to acknowledge the leadership efforts (made by citizens, legal staff and other constituents) to provide views on the proposed Remington/Gordonsville/Pratts transmission line that would affect the County.

Supervisor Weakley moved the Board approve the Resolution to express appreciation to all parties involved in opposition to Dominion Virginia Power's Transmission Line Alternatives in Madison County, Virginia, seconded by Supervisor Hoffman.

*In summary, it was noted that the resolution recognizes the work contributed by all parties from the time the proposal was presented for an alternative transmission line to Pratts; the County opposed the proposal; work was done on the corridor and a favorable decision was taken upon the SCC where Mr. James Alexander and the County Attorney helped lead the way to a successful ruling; there will be no power line alternative for Madison County. (Suggested that a round of applause commence after the voting process.)*

Seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

The County Attorney noted that today's matter may be behind the County, but urged the County not to feel that the entire issue of placing power lines in the County is behind us. He also noted that definitions contained in the County's Zoning Ordinance aren't very clear; therefore, the Planning Commission is working on this matter. In closing, it was noted there is work to be done concerning what the County can do to control future requests to place power lines here.

The Board thanked Mr. Jim Alexander for all of his assistance with the transmission line matter.

Mr. Alexander did verbalize concerns about the Rappahannock line (Pratts to Wolfstown) and questioned if the power company had an absolute right to the request without scrutiny.

**d. Airbnb Review Questions (Topic discussed under 4-a)**

**e. Germanna Community College Board Appointment:** Chairman Jackson advised that the Board received two (2) applications for the vacancy and held interviews prior to today's meeting session; both applicants were equally impressive.

Supervisor Campbell moved that the Board appoint Ms. Sarah Berry to the Germanna Community College Board (for a four [4] year term), seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**11. Public Comment:**

Chairman Jackson opened the floor for public comment.

The following citizen(s) provided public comment:

- Bruce Brown (Ruth Road): Questioned if there was an update on the process involving the recycling trailers at the transfer station.

The County Administrator advised that Roger Berry, Facilities Director, has discussed concerns with Waste Management Services, Inc., and noted there have been problems with equipment. In closing, he noted that a review of the contract will be necessary in order to determine whether another trailer will be placed on site, as everything done with Waste Management Services, Inc., must abide by the contents of the contract.

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

**11. Information/Correspondence**

**Piedmont Local Give (May 3'2016)**

Supervisor Weakley: Advised that May 3, 2016 is noted as "Give Local Piedmont" day; all donations to various organizations will be 'matched'; website in place that lists all participating organizations.

**Town Hall (Blue Ridge Task Force & Sheriff's Department)**

Citizens were reminded of the town hall meeting at the high school auditorium scheduled for Wednesday, April 27<sup>th</sup> beginning at 5:30 p.m.

**Hoover Ridge**

Supervisor Weakley advised of a 'sheep dog' tryout held at Hoover Ridge over the weekend (fifty-three [53] participants) that brought in participants from Canada, Ohio and North Carolina; feels that folks can find Madison if the events are publicized.

**Recycling Event**

Supervisor Weakley provided accolades to the Recycling Committee for the recent recycling event hosted at the transfer station, and expressed appreciation for their efforts.

**12. Adjournment:**

With no further action being required, on motion of Supervisor Campbell, seconded by Supervisor Hoffman, Chairman Jackson adjourned tonight's meeting.

\_\_\_\_\_  
R. Clay Jackson, Chairman  
Madison County Board of Supervisors

\_\_\_\_\_  
Clerk of the Board of the Madison County Board of Supervisors

Adopted on: May 10, 2016

Copies: R. Clay Jackson, Jonathon Weakley, Robert Campbell, Kevin McGhee, Charlotte Hoffman, V. R. Shackelford, III,  
Constitutional Officers

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**Agenda**  
**Regular Meeting**  
**Madison County Board of Supervisors**  
**Tuesday, April 26, 2016 at 5:30 p.m.**  
**County Administration Building, Auditorium**  
**414 N. Main Street, Madison, Virginia 22727**



5:30 p.m.

Call to Order

Pledge of Allegiance & Moment of Silence

1. **Determine Presence of a Quorum / Adopt agenda**
2. **Closed Session:** [2.2-3711(A)(1) (Pertaining to Discussion of a Candidate(s) for employment, appointment to authorities, boards or commissions, specifically the Germanna Community College Board)]
3. **Public Comment**
  - a. **Closeout on School Project – Jim Nelson**
4. **Constitutional Officers**
  - a. **Airbnb Review Questions**
5. **County Departments**
6. **Committee/Organization Reports**
  - a. **CIP Committee Appointment(s)**
7. **Finance**
  - a. **Claims for April 2016/FY2016**
8. **Minutes:**
  - a. #14
9. **New Business:**
  - a. *Sam Utz, Director of Technology, MCPS – Google Docs*
  - b. *Contract Extension – Finance*
  - c. *Fireworks Permit – Graves Mountain Lodge*
10. **Old Business:**
  - a. *Scenic River Designation – DCR Presentation on May 10<sup>th</sup>*
  - b. *Update on County Surplus Vehicles*
  - c. *Resolution – Transmission Line*
  - d. *Airbnb Review Process (Topic discussed under Item 4a)*
  - e. *Germanna Community College Board Appointments*
11. **Public Comment**
12. **Information/Correspondence (if any)**
13. **Adjournment**

\*ADDITIONS/AMENDMENTS DENOTED IN ROYAL BLUE WITH YELLOW HIGHLIGHT\*