

MEETING #3 – January 12

At a Regular Meeting of the Madison County Board of Supervisors on January 12, 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
Charlotte Hoffman, Member
Daniel J. Campbell, County Administrator
V. R. Shackelford, III, County Attorney
Jacqueline S. Frye, Deputy Clerk

ABSENT: Kevin McGhee, Member

Agenda Items:

Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum/Adopt Agenda:

Chairman Jackson noted that Supervisor McGhee was absent; a quorum was established.

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

The County Administrator advised that the supplemental appropriation request submitted by the Madison County School Board has been delayed until the January 26th meeting.

Suggested changes include:

Add Item 4a: VDOT [Mark Nesbit, Residency Administrator]

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

2. Constitutional Officers:

a. Sheriff's Office: Erik Weaver, Sheriff, was present and advised that PRA has contacted VDOT to attain a permit to move the storage buildings located behind the Old ABC Building; buildings should be relocated within the next two (2) weeks.

3. County Departments: None.

4. Independent Committees/Organizations:

a. VDOT [Mark Nesbit, Residency Administrator]: Mark Nesbit, Residency Administrator, was present to provide an update on the following projects:

i. Twyman's Mill Road: Bids received were above the budget allocation for the project and all were rejected; an internal meeting will be conducted tomorrow to discuss future options on whether to modify the project for rebidding or whether to implement the project through state forces/in-house. Bids received came in at \$1,127,816.00 – construction budget (for the project) is set at \$528,000.00. It was also noted that because of the size of the project, VDOT limited bids from a certain group of bidders (i.e. small businesses); it's anticipated that permission will be requested to open the bids to the normal bidding process to attain more bids and a lower price for the project.

Additional highlights focused on the:

- i. Conway Bridge Project (Route 230): Project is on schedule for advertisement in March 2016
- ii. Shifflett's Corner Road (Route 662) [rural rustic project]: Project is on target for planned advertising schedule
- iv. Route 640: Speed study has been conducted on the route – report is now being finalized

Mr. Nesbit also noted that VDOT is in the process of opening a third residency office within the district. Madison County will soon be under the authority of the Charlottesville Residency Office. In closing, he noted that the administrator will be invited to attend a future Board meeting to become acquainted with the Madison County Board of Supervisors.

Concerns from the Board:

- Supervisor Campbell: Questioned the specifics of the Shelby Road crossover study.

- Supervisor Weakley also referred to concerns from a local business owner (i.e. Duct Rite Mechanical) regarding site distance at their new location (off Route 29 South) and the traffic pattern (U-turn requirement for traffic traveling on Route 29 North. In closing, he asked that VDOT consider initiating a traffic study to assess whether an additional crossover (on Route 29 North & Gate Road) could remedy this matter.

Mr. Nesbit advised that:

- i. *The study for the Shelby Road crossover has been submitted to the Richmond Office; the idea looks favorable and more should be known within the next month or so; once the plan is approved, the project will be added to the Six Year Road Improvement Plan (for Madison County).*
- ii. *Follow up will be conducted by email on the area involving Route 29 North and Gate Road.*

Miscellaneous:

Scott Leake of Congressman Robert Hurt's Office was present and advised that the Congressman wanted to reiterate his effort to be the best representative and advocate for local government. He also urged constituents to continue to contact the Congressman's office with any types of governmental concerns. In closing, he noted appreciation to local elected officials and advised that breakfast may be held in Syria on April 7th.

5. Committee Reports: None

Chairman Jackson noted that Mr. Robert Legge will provide comments on ideas for the Transportation Committee that involve safety factors.

Chairman Jackson noted that during last night's school board meeting, there was an appointment of two (2) new members to the CIP Committee for the close out meeting on the school projects.

6. Finance: Post Year

i. Claims - January 2016- FY2016

Vendor Payments Register:

Chairman Jackson advised of the following claims in need of approval:

- i. \$218,700.50 (January 8, 2016):
Concerns focused on:
 - \$150,000.00 payment to the Madison Volunteer Rescue Squad (annual payment) [3rd quarterly payment]
 - \$3000.00+ (Celebrite):

Terri Weaver of the Sheriff's Office explained the aforementioned payment is part of the maintenance contract for software programs utilized by the Sheriff's Office.

The County Administrator noted the \$12,500.00 invoice for Greene Waste & Recycling is for the large debris pile located at the transfer station that was handled on December 31st and January 2nd. In closing, he noted there will be a need to have someone to perform some grade work at the site at an anticipated cost of about \$1,000.00 (for four [4] days of work) - efforts are being made to research this endeavor; funding will be expended from the Facilities/Transfer Station budget.

Supervisor Campbell moved the Board approve vendor payments totaling \$218,700.50 for January 8, 2016, as presented, seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, Campbell, Hoffman. Absent: McGhee. Nays: (0).*

Additional concerns focused on:

\$4,300.00 invoice for Heartland Farm Machinery

The Interim Finance Director advised these funds will be expended from the PRA departmental budget for capital improvement.

The County Administrator advised the funds were used to purchase used tractor that used for dragging and spraying.

Supervisor Campbell moved the Board approve the vendor payments totaling \$69,502.83 for January 12, 2016, as presented, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, Hoffman. Absent: McGhee. Nays: (0).*

7. Minutes

a. #46 through #48:

#46 (Supervisor Campbell was absent)

#47 (Supervisor Jackson was absent)

#48 (Supervisor McGhee was absent)

It was noted that Supervisor Hoffman will need to abstain from voting on today's minutes.

Supervisor Weakley moved the Board approve Minutes #46 through #48.

**Supervisor Weakley moved to withdraw his motion (no second was attained)*

Supervisor Weakley moved the Board approve Minutes #46, seconded by Chairman Jackson. *Ayes: Jackson, Weakley. Abstain: Hoffman, Campbell. Absent: McGhee.*

Due to a split vote and the absence of Supervisor McGhee, it was the consensus of the Board to hold action on the above referenced minutes until the second Regular Meeting scheduled for January 26, 2016.

8. Discussions/Actions

a. Madison County Planning Commission (Review of Applications): Chairman Jackson noted that five (5) applications have been received. He suggested the Board establish an interview process at the second Regular Meeting session.

After discussion, it was the consensus of the Board to conduct the interviews in a closed session on January 26th beginning at 4:30 p.m. in the auditorium before the meeting process. Today's meeting will be adjourned and Regular Meeting #2 will be advertised to begin at 4:30 p.m. (instead of 6:00 p.m.) followed by the regular meeting session.

b. Madison County Planning Commission – Board Representative: Chairman Jackson advised that as per a discussion with Supervisor Campbell, he suggested the Board appoint three (3) individuals to fill all the vacancies and select a Board member to serve as the Board's representative. In closing, he offered to continue to serve as the Board's liaison to attend the commission meetings.

c. Review/Amend Bylaws (Board of Supervisors): Supervisor Campbell verbalized concerns regarding guidelines denoted in the bylaws as approved, and that the Board should follow them. Additional concerns were referenced regarding:

- All committees keeping minutes (of meetings)
- Abbreviated board meeting minutes (as voted upon in 2012)
- Suggested minutes be more 'accurate' to reflect history of board action

The County Attorney made reference to Robert's Rules of Order guidelines that pertains to board minutes (i.e. record of "what was done'.....not 'what was said') and direct 'motions/actions undertaken by the Board.'

Supervisor Weakley concurred with the suggestion that items voted on by the Board should be carried forth.

Chairman Jackson suggested that ideas on the bylaws and minutes be compiled and discussed further at the next meeting session.

Supervisor Campbell moved the Board adopt the Bylaws as presented today until we find changes to do it, seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, Campbell, Hoffman. Absent: McGhee. Nays: (0).*

d. Code of Ethics (Board of Supervisors): Supervisor Weakley moved the Board approve the Code of Ethics as presented, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, Hoffman. Absent: McGhee. Nays: (0).*

e. Cooperative Agreements

- i. Clerk of the Circuit Court
- ii. Commissioner of Revenue

The County Administrator advised that today's change was necessitated due to the change in constitutional officers (as per the election); these agreements were established in 2009; no changes are being requested or presented with the exception of updates to specific information [(i.e. Clerk (particular classification of staff, hours, accumulated leave)]. In closing, it was noted that both documents have been reviewed by each department head for clarification and accuracy.

The County Attorney further stated that when the County adopted a personnel policy (in 2009), the constitutional offices had the option to join in the provisions of the personnel policy; reference was made on the selective portions of the County's personnel policy that are included in today's agreements. In closing, he noted that constitutional offices have the option of joining with all or specific parts of said policy.

The County Administrator also noted that the Treasurer has an agreement; the new Commonwealth's Attorney is in the process of reviewing the agreement for her office.

Chairman Jackson noted that a meeting has been scheduled for later this week to discuss items contained in the personnel policy that were approved but never incorporated into the personnel policy.

Supervisor Weakley also agreed that the personnel policy needs to be reviewed (i.e. leave policy) and updated.

Supervisor Weakley moved the Board adopt the cooperative agreements between the Madison County Board of Supervisors, the Commissioner of Revenue and the Clerk of Circuit Court, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, Hoffman. Absent: McGhee. Nays: (0).*

f. Proposed Budget Development Schedule

Chairman Jackson referred to the proposed budget development schedule to denote eight (8) budget work sessions for each Thursday beginning January 28th through March 10th from 2:00 p.m. to 6:00 p.m.; a meeting for Tuesday, March 15th (if needed); and the public hearing, budget adoption/approval/appropriation of the FY2017 Budget.

After discussion, Chairman Jackson advised that:

- Thursdays are more agreeable with the Interim Finance Director's schedule
- Meeting for the approval/adoption/appropriation of the FY2017 Budget will be held in the auditorium

After continued discussion, it was the consensus of the Board to secure the Madison County Firehouse lounge for the budget work sessions.

The County Administrator advised there will need to be discussions with the school board and superintendent; tentative dates haven't yet been plugged into the schedule, but will be initiated within the coming month.

Supervisor Campbell moved the Board adopt the budget development schedule (for the FY2017 Budget) as presented, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, Hoffman. Absent: McGhee. Nays: (0).*

Close out (CIP): Supervisor Campbell questioned the date/time (January 22nd @ 12:00 p.m.) of the close out meeting of the CIP committee, and also suggested that after the close out meeting, the CIP committee should be 'sunset' for the project. In closing, he suggested that a final project report be presented (by the school or county) to the citizens of Madison County.

The members provided accolades to Mr. John Barrett, Project Manager, for overseeing the school project, and to the School Board and the school Superintendent.

After discussion, it was suggested that Supervisor Campbell and/or Supervisor McGhee suggest the aforementioned request (for a close out project report) be initiated.

It was also suggested that another structured committee be established (with direction/purpose) to discuss additional future long-term planning projects for the school and county.

9. Public Comment: Will be held as close to 7:00 p.m. as possible.

Chairman Jackson opened the floor for public comment.

- Terry Weaver (Sheriff's Office): Questioned the budget development process and whether the session on January 28th will call for departments to attend and present input on their individual departmental requests.

The County Administrator advised that blocks of time (10-15 minutes) will be scheduled for each department to provide budgetary input to the Board of Supervisors.

- Mike Mosko: (Verbalized concerns that Orange County will make a formal response regarding the Dominion Power SCC case; urged County officials to consider Mr. Jim Alexander's proposal to work in conjunction with the County Attorney to represent Madison County in the aforementioned case.
- Dave Ashley: Feels there should be a contract and job description in place for the County Attorney; also suggested that all County positions should have a job description in place.
- Robert Legge: Asked the Board to continue with the Transportation Committee; stated his primary interest is to encourage driver safety and seat belt usage; encouraged citizen involvement and expressed the desire to initiate a community effort to

make 2016 a fatality free year; feels it would be a great benefit to have the Transportation Committee request assistance from VDOT (for additional signage in specific areas) on behalf of the citizens of Madison County.

Additional highlights focused on offers of assistance (to promote driver safety) from:

- Mr. William Hale (State Farm Insurance)
- Ms. Lisa Warren
- Dr. Eberhardt (Superintendent)

Supervisor Campbell noted that the Transportation Committee didn't have an established purpose or goals in place, and further suggested that safety should be a community-wide operation.

After discussion, it was suggested that the Transportation Committee meet to assess ideas, goals, directions and objectives for Madison County.

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

Chairman Jackson advised the Board will need to enter into closed session; there may be action following this session.

10. Closed Session – [2.2-3711 (Consultation with Legal Counsel – Martino/Animal Control Case)]

a. Closed Session:

On motion of Supervisor Weakley, seconded by Supervisor Campbell, the Board moved to convene in a closed session, pursuant to Virginia Code Section 2.2-3711(A)(7), pertaining to consultation with legal counsel about Dominion Power SCC Case No. PUE 2016-000117 and Virginia Code Section 2.2-3711(A)(29) pertaining to the award of a public contract involving the expenditure of public funds to employ legal counsel to assist the Madison County Attorney in the aforesaid case, with the following vote recorded: Aye: Jackson, Weakley, Campbell, Hoffman. Absent: McGhee. Nays: (0).

b. Motion to Reconvene In Open Session:

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

c. Motion to Certify Compliance:

On motion of Supervisor Weakley, seconded by Supervisor Hoffman, 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 Virginia Code Section 2.2-3711(A)(29), 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, Hoffman. Absent: McGhee. Nays: (0).

Action as a result of closed session:

Supervisor Campbell moved that the Board authorize the County Attorney and the County Administrator to pursue a notice of participation with the State Corporation Commission in the Dominion Power SCC Case No. PUE 2016-000117, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, Hoffman. Absent: McGhee. Nays: (0).*

Supervisor Campbell moved that the Board authorize the County Attorney and the County Administrator to enter into a legal contract with Mr. Jim Alexander to assist the County Attorney with the filing for an early exit option in Dominion Power SCC Case No. PUE 2016-000117 at a cost of \$7,500.00, seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, Campbell, Hoffman. Absent: McGhee. Nays: (0).*

11. Information/Correspondence: None.

12. Good of the Order: None

Chairman Jackson questioned the need for "Good of the Order."

After discussion, it was the consensus of the Board to remove "Good of the Order" from future meeting agendas.

The County Administrator questioned whether the public comment opportunity should be held at the beginning of the meeting.

Discussions focused on the fact that:

- Input from the citizens is essential (in some cases)
- Open discussions will encourage citizen input (on specific matters)
- The Board is charged with making decisions (for the betterment of the County)

After discussion it was the consensus of the Board to hold public comment at an earlier time during the next regular meeting session.

13. 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: January 26, 2016

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



Agenda
Regular Meeting
Madison County Board of Supervisors
Tuesday, January 12, 2016
County Administration Building, Auditorium
414 N. Main Street, Madison, Virginia 22727



Call to Order

Pledge of Allegiance & Moment of Silence

1. Determine Presence of a Quorum / Adopt agenda
2. Constitutional Officers
 - a. Supplemental Appropriation – Sheriff's Office
3. County Departments
4. Independent Committees / Organizations
 - a. **VDOT (Mark Nesbit, Residency Administrator)**
5. Committee Reports
6. Finance
 - a. Claims for January 2016/FY2016
7. Minutes:
 - a. #46 to #48
8. Discussion/Action:
 - a. Madison County Planning Commission (Review of Applications)
 - b. Madison County Planning Commission – Board Representative
 - c. Review/Amend Bylaws (Board of Supervisors)
 - d. Review/Amend Code of Ethics (Board of Supervisors)
 - e. Cooperative Agreements
 - i. Clerk of Circuit Court
 - ii. Commissioner of Revenue
 - f. Proposed Budget Development Schedule
9. Public Comment – will take place as close to 7:00 p.m. as possible
10. Closed Session: [(2.2-3711(A)(7) - Consultation w/Legal Counsel About Dominion Power SCC Case No. PUE 2016-000117 and 2.2-3711(A)(29) Pertaining to the Award of a Public Contract Involving the Expenditure of Public Funds to Employ Legal Counsel to Assist the Madison County Attorney in the Aforesaid Case]
11. Information/Correspondence
12. Good of the Order
13. Adjournment

AMENDMENTS/ADDITIONS DENOTED IN ROYAL BLUE WITH YELLOW HIGHLIGHT