

## MEETING #33 – October 11

At a Regular Meeting of the Madison County Board of Supervisors on October 11, 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, 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 noted as being present.

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

#### 2. Public Comment:

Chairman Jackson opened the floor for public comment.

The following citizen(s) provided public comment:

- ✓ Kit Johnston: Comments pertained to the need for clean water; suggested County consider investing in local streams and cost share process; General Assembly dedicated \$60,000,000.00 in funding for the cost share progress; in FY2017 various organizations (including the Chesapeake Bay Foundation) are asking localities to ask the General Assembly and Governors for program funding (totaling \$60,000,000.00 with \$45,000,000.00 being needed in 'new money'); feels the differential will more than likely come from monies that have already been set aside for this type of project; feels the need to protect local streams in the locality is a great concern (such as Madison) to ask the General Assembly and Governors for even funding for these types of programs/projects, totaling \$60,000,000.00 with \$45,000,000.00 being needed in 'new money'; it's felt the differential will more than likely come from monies that have already be set aside for this type of project.

#### Comments from the Board:

- *Supervisor Weakley: Questioned if Ms. Johnston was familiar with the Stream Sweepers Program who provide debris clean-up of local rivers/streams*
- *Supervisor McGhee: Noted that the Stream Sweepers Program is looking for folks to adopt 'piles' (of debris) to be removed*
- ✓ Kathleen Culmer (Hood): Asked the County to consider paving Pea Ridge Road in Hood, VA.

The County Administrator noted that Pea Ridge Road is located close to the Madison/Greene line.

#### Comments from the Board:

- *Supervisor Campbell: Noted that paving roadways isn't something the County handles*
- *Chairman Jackson: Suggested Ms. Culmer converse with Joel DeNunzio of VDOT on this matter*
- ✓ Bob Chappell (Madison County School Board): Advised of an upcoming event at the high school on October 19<sup>th</sup>; noted that the State has recognized Madison County as being a leader for on-time graduation with a rate of 92.6% (top 10 in the State), and a low drop-out rate. Additional highlights focused on accreditation of local schools (i.e. Waverly Yowell & Madison Primary haven't met benchmarks for the past four [4] years – accreditation is now 'to be determined']; Wetsel Middle is fully accredited; MCHS is partially accredited); plan devised by school Superintendent to improve SOL achievement levels; feels that (in his opinion) lowered reading progress is due to the reposition of reading specialists to other teaching assignments; will suggested that the school board consider adding an additional reading specialist to (one to WMS and one to MPS) in order to reinstate the previous level of reading progress.

**Comments from the Board:**

- *Chairman Jackson: Questioned if the school is actively recruiting for the reading specialist position*
- *Supervisor Weakley: Questioned the process by which the state will assess whether there is a need to intervene*
- *Supervisor Campbell: Questioned what happened to the additional reading specialists that were in place*

Mr. Chappell noted that he questioned this matter, but was advised that:

- The position has been posted to the schools' website
- Noted that he will follow through and encourage the school system to actively recruit
- Will also attain input on the state's intervention process
- Doesn't feel the State is proposing to 'take over' the school system, but this may change if accreditation is denied for a few more years
- Reading specialists were replaced with the preschool program
- Reading specialists were later assigned to other teaching assignments

In closing, Mr. Chappell noted that in his opinion, he'd like to see the school system increase the annual budget in order to fund two (2) additional reading specialists, although he's uncertain if the full school board will agree to the aforementioned suggestion.

- ✓ Robert Legge (Etlan): Noted that a recent CSB meeting discussed the CIT (Crisis Intervention Team) drop off assessment site will not be located at the hospital, but at an alternative site next to the helicopter pad – this process will be in place by January 1, 2017.

**3. Constitutional Officers:** None

**4. County Departments:**

**a. Consideration of Local Resolutions:** Chairman Jackson noted there are two (2) Resolutions for Commendation to be considered to recognize two (2) local businesses.

**Resolution #1**

The Resolution to honor Madison Wood Preservers, Inc., World's Greatest Lumber Treater was read for the record as follows by Chairman by Chairman Jackson:

**COUNTY OF MADISON  
BOARD OF SUPERVISORS  
*Resolution of Commendation  
Madison Wood Preservers, Inc. World's Greatest Lumber Treater***

**WHEREAS**, Madison Wood Preservers, Inc. opened in 1959 in Madison County; and

**WHEREAS**, Mr. Bill Price has continued his father's tradition and the family business; and

**WHEREAS**, Madison Wood Preservers, Inc. is a wonderful community partner, contributing significantly to the local quality of life and economic vitality of Madison County; and

**WHEREAS**, Madison Wood Preservers, Inc. manufactures the absolute best quality products, with their superior workmanship recognized by customers throughout the County, Commonwealth of Virginia, our nation and beyond;

**NOW, THEREFORE, BE IT RESOLVED THAT**, on October 11, 2016, the Madison County Board of Supervisors, does hereby recognize Madison Wood Preservers, Inc. as the World's Greatest Lumber Treater.

Bill Price of Madison Wood Preservers, Inc., was present and thanked the County for today's recognition; he noted that MWP is a wholesale business; most of the employees are residents of the County; feels it's the employees and customers that have made today's recognition possible, and it's his pleasure to accept this resolution.

**Resolution #2**

The Resolution to honor Early Mountain Vineyards – Voted #1 Tasting Room in America and in the USA was read for the record as

follows by Chairman Jackson:

**COUNTY OF MADISON**  
**BOARD OF SUPERVISORS**  
*Resolution of Commendation*  
**Early Mountain Vineyards, Voted #1 Tasting Room in America in the USA Today 10 Best Contest**

**WHEREAS**, Early Mountain Vineyards is a tremendous community partner; and

**WHEREAS**, Early Mountain represents Madison County's history and promotes our quality of life; and

**WHEREAS**, Early Mountain represents not only their wines, but also the best that Madison County, as well as the Commonwealth of Virginia, have to offer; and

**WHEREAS**, Early Mountain exposes residents and visitors alike to Madison County's warm hospitality and superlative scenery;

**NOW, THEREFORE, BE IT RESOLVED THAT**, on October 11, 2016, the Madison County Board of Supervisors, along with the Economic Development and Tourism Department, does hereby recognize and congratulate Early Mountain Vineyards as the #1 Tasting Room in America according to USA Today.

Chairman Jackson noted that Tracey Williams Gardner, Director of Economic Development and Tourism is absent from today's session due to having a previous engagement.

**Comments from the Board**

- *Supervisor Campbell: Noted that the County had a substantial increase in sales tax revenue this year, with a portion being distributed to the school system and to the County; feels today's recognition is possible because of local businesses that have expanded and done very well, thereby contributing to the County's overall economic growth and tax revenue; encouraged the citizens to realize how important businesses are for the County*
- *Supervisor Weakley: Feels the County is fortunate to have businesses that do 'above and beyond'; noted appreciation for the [REDACTED] **philanthropical**.*
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**5. Committee/Organization Reports**

**a.Eldon James - Regional Legislative Program:** Eldon James was present and provided a draft document detailing the legislative platform for review; he noted that today's draft (should be dated October 7<sup>th</sup>). Emphasis was placed on a change to denote the addition that: *"The Region also supports granting counties the authority to adopt a local meals tax by resolution of the Board of Supervisors."*

Items of interest were noted as follows:

- **Transportation:** Level funding in the first round of discussions was decreased during the second round of discussions; it's anticipated that funding will be further decreased during the third round of discussions. Language has been added to denote that: *"The Region supports efforts to enhance transportation funding. Growing transportation needs and the deterioration of critical transportation infrastructure. E.g. roads, bridges, is creating detrimental impacts to economic vitality and safety across the region."*
- **Broadband:** This issue has been moved up on the list and is very important for Madison County at the present time.
- **Chesapeake Bay Restoration:** Standard language has been denoted for this topic for the State and counties, as it would be difficult for towns and counties to do their part to support cost share funding.

Storm water Management, Erosion & Sediment Control & the Chesapeake Bay Preservation Act: Legislation on this matter has been in place from 2004, when management was shifted from DEQ to DCR, and in 2012, management was shifted away from DCR back to DEQ. In 2014, major legislation caused many localities to allow DEQ to manage their storm water program (Madison opted out), and the program seems to be working well. It's hoped there will be no further major changes in the program in the near future.

Other items of concern include:

- **AOSS (Alternative On-Site Septic Systems)**
- **Water Supply**
- **State Funding for Local & Regional Jails:** State reduced funding; process in place to get the funding amount increased in order to reduce any burden on regional jails.
- **Educational funding:** Concerns focused on the trend of declining state financial support for K-12 programs.
- **Economic & Workforce Development:** State has been involved in this endeavor; continued growth has been noted in credential programs; new legislation passed during the past year that noted that Virginia has provided significant funding to community college systems for non-credit credentials, and will pay a portion of the tuition costs (1/3 x2) if student's complete the program and industry credentials are attained.
- **Local Land Use Authority:** It's felt that decisions on this matter should be made at the neighborhood and community level that will be affected.

In closing, he noted there has been much consistency over the years.

**Comments from the Board:**

- *Supervisor Weakley: Suggested a copy of today's document be provided to the local DSS Director; also questioned the POC in Stafford County who may be able to provide input on their program; also questioned if other localities have provided a resolution to support the initiative implemented (by Stafford County)*

Mr. James suggested the County's DSS Director contact the Stafford DSS Director to assess programs that the locality initiated within the past year that provided a potential savings of over 40% per participant annually; he also noted that he will contact a representative in Stafford County to inquire about the matter.

Mr. James advised that a final draft will be developed shortly to be discussed during the upcoming VACo conference; any final changes will be developed into a final draft to be submitted to all localities for review/advisement.

**b. Joel DeNunzio, P.E., Regional Residency Administrator:** Chairman Jackson advised of the County's concern whether to establish a regular schedule for VDOT to attend monthly meetings.

Mr. DeNunzio advised that he has no preference, and would be willing to attend meetings as deemed appropriate by the County.

After discussion, it was the consensus of the Board to request Mr. DeNunzio attend meetings once a quarter from this point forward, unless otherwise directed.

Mr. DeNunzio advised that a monthly report of VDOT activities is provided each month; also noted that a quarterly basis from this point forward, unless otherwise directed; noted that HIS (highway safety improvement) projects (such as with Route 662) are initiated to address crashes at identified intersections. The Route 662 (Shelby Road Intersection) project is a HSI project (highway safety improvement) that will address the history of crashes at the intersection first allocation will be received in 2020 following by the initiation of construction.

**Comments from the Board:**

- *Supervisor Weakley: Questioned whether nearby property owners will be kept informed*

Mr. DeNunzio advised that the project hasn't been scoped; VDOT generally holds a stakeholder's meeting prior to the kick-off of a project to advise property owners of the project design; information has also been received from the Sheriff's Office regarding citizen concerns about VDOT closing crossovers along Rt. 29 S, which is inaccurate, as VDOT has no plans to close any crossovers. When any type of closings is done, VDOT will provide the County with specific details. In closing, he did not that it is VDOT's intent to make all crossovers safe.

Additional items of interest pertained to the:

- ✓ Secondary Six Year Road Improvement Plan
- ✓ Ditching being done on Route 662
- ✓ Booton's Lane (Route 697)
- ✓ Fletcher Road (Route 675)
- ✓ Forest Drive (Route 671)

He advised that a hearing for the new six year road improvement plan will be held in the spring of 2017 (April 2017), and noted that the request to pave Pea Ridge Road will be assessed during that time, but noted that it would be the County's decision as to whether to make the road a hard surfaced roadway, and not VDOT's.

**Bridge Projects:**

- ✓ Route 230 Conway River Bridge Replacement: Project is now underway; should be completed by November 2017

**Road Projects:**

- ✓ Route 662 (Shifflett's Corner Lane): Rural Rustic project is almost complete
- ✓ Route 614 (Twyman's Mill Road) & Turner Driver Intersection: Project is almost complete
- ✓ Traffic Study for Oak Park Road: Traffic Study didn't identify any significant findings; citizen concerns were presented at a previous meeting; safety issues will be assessed; VDOT traffic engineers being asked to assess traffic issues related to any safety issues noted on the roadway – additional information will be provided once reports are complete

**Maintenance activities:**

- ✓ Culverts replaced on primary and secondary routes
- ✓ Debris removal on primary and secondary routes
- ✓ Drainage repairs on primary and secondary routes
- ✓ Machining of non-hard surface roads has been performed on secondary routes
- ✓ Patching was performed on primary and secondary routes
- ✓ Shoulder repairs on primary and secondary routes
- ✓ Prepping for upcoming snow season (inspection of all equipment; stocking materials; getting contracts in order)

**Comments from the Board:**

- *Supervisor Campbell: Questioned if most of the proposed construction at the Shelby Road intersection will transpire in the median, and whether the project will take much right-of-way from the nearby businesses*

Mr. DeNunzio advised that he wasn't sure about the proposed scope of work; advised that he spoke with the traffic engineer who advised the proposed plan will involve the implementation of a "J" turn intersection, in an attempt to adjust the turning pattern so as to eliminate traffic; more information will be provided as the proposed plan develops.

Chairman Jackson suggested that Ms. Culmer return in April 2017 to discuss concerns regarding Pea Ridge Road.

- *Supervisor Weakley: Noted that a citizen presented concerns about Oak Park Road during a prior meeting (i.e. entrance); questioned the process undertaken during a traffic study; noted there is a significant amount of truck traffic along the roadway – suggested this be considered when VDOT initiates the traffic study; also questioned a concern (presented by the Shepard Family) regarding the lack of ditching and erosion on Power Dam Road – noted that a culvert was replaced*

Mr. DeNunzio noted that the traffic study equipment is capable of classifying vehicle type; also noted that the traffic study will depend on what's trying to be accomplished (i.e. conditions, entrance, etc.); noted that citizen's concerns pertained to an entrance used for commercial use, and appears to refer to site distance issues – feels signage could be put into place; also noted that cutting down a roadway because of site distance is a very expensive process.

Mr. DeNunzio also noted contact information; encouraged the County to contact him in the event any concerns are noted in between meeting sessions.

The County Administrator invited Mr. DeNunzio to attend meetings as frequently as he'd like.

**6. Finance****a. Claims Applicable to October FY2017**

Chairman Jackson advised there are two (2) lets of claims for consideration.

Mary Jane Costello, Finance Director, noted the following highlights:  
 \$23,500.00 (purchase of vehicle for the Director of Emergency Communications) [purchase was \$1,500.00 under budget]  
 \$29,000.00 (debt service payment for previously financed vehicles)  
 \$33,000.00 (payment to Waste Management Services, Inc.)

Questions from the Board pertained to:

- Payment to Leisure Publishing
- Madison Companion Animal Hospital

The Finance Director advised that the payment to Leisure Publishing is for advertising services for Economic Development/Tourism; the payment to the Madison Companion Animal Hospital was for the spay/neuter program hosted by the County – total bill was \$6,702.80,

with \$5,000.00 having been approved for use from the Topping Fund. In closing, the Finance Director advised of the intent to utilize new accounting procedures for animal donations.

Supervisor Weakley moved the Board approve Claims for October FY2017 as presented (totaling \$142,957.83), seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, Campbell, McGhee Hoffman. Nays: (0).*

**b. Supplemental Appropriations**

**FY2017 - #07\_10112036 totaling \$38,778.05 – Supplemental Funds to FY2017 budgets from FY2016 Encumbered Fund Balance**

The Finance Director provided a brief explanation of the supplemental appropriation request as presented, and advised this is noted as being a common/routine process.

The County Administrator advised that the process assessed items that were already on a purchase order, contract or encumbered at the end of FY2016; today's process will complete the process to bring 'encumbered funds' (from FY2016) to a 'spend state' in the FY2017 budget. In closing, he noted that this process is intended to prevent some structure to document what's done at the end of each fiscal year and it is carried over into the new fiscal year.

Supervisor McGhee moved the Board approve the supplemental funding appropriation to the FY2017 budget that were encumbered from FY2017, in the amount of \$38,778.05, seconded by Supervisor Campbell. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**FY2017 - #6\_10112016 totaling \$3,199.00 – Fire Program Funds**

Supervisor Weakley moved the Board approve Supplemental appropriation for Fire Program Funds, seconded by Supervisor McGhee. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**7. Minutes:**

a. #31 & #32

Chairman Jackson called for any corrections or amendments to Minutes #31 & #32; he also advised that it has been requested that, for the record, an announcement be made when any member is absent from the meeting session.

#31

Supervisor Hoffman moved the Board approve Minutes #31 as presented, seconded by Supervisor McGhee. *Ayes: Jackson, Campbell, McGhee, Hoffman. Nays: (0). Abstain: Weakley.*

#32:

Supervisor Weakley moved the Board approve Minutes #32 as presented, seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, McGhee, Hoffman. Nays: (0). Abstain: Campbell.*

**8. New Business:**

**a. Proposed Revisions to Process for Placement of Children in Residential Treatment Facilities – Valerie Ward, MCDSS**

**Director:** Valerie Ward, MCDSS, was present on behalf of the Community Policy & Management Team (CPMT) with regards to the Children's Services Act (CSA); discussion focused on:

Policy, procedure and proposals at the State level that impact day-to-day operations of the program

Current placement process being undertaken by the local DSS Office (i.e. initial assessment, certification of need [less restricted placement, foster care, residential care, etc.])

The process by which the Family Assessment Planning Team Case Manager assesses the need for more intensive services (i.e. placement in a residential facility)

The single most expensive service provided under the Children's Services Act (CSA) is placement of children in residential facilities (i.e. placements for children with severe and/or emotional behavioral concerns) in order to be safe and have their mental health needs appropriately met, which directly impacts whether Medicaid will fund the requested placement.

The overall funding mechanisms (i.e. Medicaid [Department of Medical Assistance Services (DMAS)], and Magellan)

Behavioral component offered by the State level aren't managed through the local DSS office

Ms. Ward further advised that today's proposed revisions will call for an independent assessment to be initiated; assessment will need to be signed off by the local health department before being submitted to a potential residential placement facility for funding approval. Additional input was provided regarding the need for the IAACT (Independent Assessment, Certification And Coordination Team) to certify all requests for residential treatment, and if appropriate, the localities will have the option to contract with Magellan (the Behavioral Administrator for DMAS [Department of Medical Assistance Services]) to serve as the IAACT through their local CPMT (Community Policy & Management Team) for which they would receive reimbursement from Magellan. In closing, she advised that the local FAPT (Family Assessment Planning Team) has no licensed mental health professions that meet the required medical criteria, which will call for all assessments to be completed by a licensed physician (M.D. or D.O. [excluding providers from the local health department] or other medical professionals that have assisted the County in the past during emergency placement cases. She further feels that at this time, the County's CPMT (Community Policy & Management Team) is unable to commit to the proposal as required without additional information being attained on today's proposal. In closing, she questioned whether the County would desire to 'create its own' CPMT

(Community Policy & Management Team) or contract with Magellan (a part of Medicaid) so they can perform the assessments for the County, although she further advised that Magellan doesn't currently have guidelines in place for the proposed program (i.e. assessment guidelines, costs, etc.). Surrounding localities have been contacted (i.e. Culpeper, Greene, etc.) and they've declared not to make a decision until more concrete information is provided. In closing, she feels the State has acknowledged that there are problems with the proposed revisions, as the deadline has been moved from October 14<sup>th</sup> to October 21<sup>st</sup>, and the program implementation date has also been moved from December 1, 2016 to January 1, 2017.

The County Administrator questioned how Magellan proposes to meet the timeline process being relayed.

Ms. Ward noted that she anticipates receipt of additional information within the upcoming week since the deadline is slated for October 14<sup>th</sup>.

After discussion, it was the consensus of the Board to revisit the proposed revision process within about two weeks.

Ms. Ward advised that the DSS Office will plan to follow the plans/procedures currently in place, and reiterated the fact that the County's to make it very clear that the County's CPMT (Community Policy & Management Team) doesn't have the required credentials as suggested in today's proposal.

#### **Comments from the Board:**

- *Supervisor Weakley: Questioned if Magellan is the only agency in place, and questioned the requirements denoted; emphasis was placed on the reimbursement process*
- *Supervisor McGhee: Questioned what would transpire because the locality doesn't have the local resources in place, and about other localities*

Ms. Ward advised that Magellan is the sole agency that handles today's type of service; she further noted that half of the Medicaid costs are locally charged, and that funds are either provided at the state and/or local level. In closing, she noted that if the larger cities (i.e. Alexandria, Fairfax, Arlington, etc.) don't have the resources in place, it's more than likely that no one else will either at the level being requested.

The County Administrator advised that in his opinion, the proposed revisions are something that's being 'rushed' without being thoroughly assessed, and noted that the proposed guidelines can't be met by most localities within the State.

#### **9. Old Business:**

**a. IT Audit:** The County Administrator advised that additional cost explanations were presented to ANS (i.e. cost to have someone climb towers, installation of mounting materials), and all concerns have been satisfied, with the exception of costs for 'tower climbers'. He further noted that some analysis and comparisons have been initiated (through discussions with Robert Finks, Director of Emergency Communications). In closing, he noted that the County has been relying on ANS, Inc. to advise that equipment being assessed is actually the equipment that will be needed in order to replace equipment put into place in 2004. Work order costs have decreased from \$68,000.00 to \$61,248.00.

Chairman Jackson suggested that Supervisor Weakley meet with the County Administrator to assess what ANS, Inc. has prepared and work on initiating an informal proposal, and perhaps provide some expert opinion. In closing, he urged other Board members to feel free to assist Supervisor Weakley, if desired, and thanked the County Administrator for his assistance on this matter.

**b. Consideration of Proposal to Accept Credit Cards at Solid Waste Transfer Station:** The County Administrator advised today's request is a new proposal. There are customers that often request to make payments by credit card at the transfer station due to a lack of having cash on hand to pay their landfill fees. A discussion was held with representatives of Waste Management, Inc., and favor was expressed regarding the credit card payment option. The cost to install necessary equipment will be \$90.00 with a \$30.00 per month fee to the County (County can piggyback off of the vendor that provides this service to the Treasurer's Office) – costs to the customer will be about 2.2% per use, plus thirty cents (.30) per transaction. In closing, he noted that the County will have to pay the proposed \$90.00 for the equipment. In order to compensate for additional associated costs, he suggested that the County could elect to increase landfill fees, and still be able to provide convenience to those customers who don't often have on cash on hand to pay fees.

#### **Comments from the Board:**

- *Chairman Jackson: Questioned the amount of revenue received from activities at the landfill; also questioned why the County should pay to have the equipment set up*
- *Supervisor Campbell: Noted that most existing businesses do accept credit card payments; questioned if accounts are established for individuals that utilize the landfill*
- *Supervisor Weakley: Questioned what would happen if the internet went down and whether the process could be continued manually*

The County Administrator advised that the equipment would be operational and that internet service at the landfill has been very reliable to date. He further advised that he has received calls from citizens in the past, with a recent call being received from a citizen who failed to have cash on hand to pay, and was insulted when the clerk at the landfill instructed as to what would be done if he didn't return to cover assessed charges.

Supervisor Campbell moved the Board approve to enhance service for citizens at the landfill by accepting credit cards as a method of payment of fees, seconded by Supervisor McGhee. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**c. Local Government Agreement with the State Health Department for Operation of the Local Health:** Chairman Jackson noted that the local agreement is usually presented about six (6) months late annually and is an obligation on the County's part.

The County Administrator advised that the local government agreement commits the state to spending \$245,685.00 at the local health department office, and specifies that the County's local match in this year's budget will be \$140,412.00. It was also noted that paragraph 2 of today's agreement denotes that the agreement went into effect July 1, 2016. Although the agreement is generally six (6) months behind, he noted that it must be approved by the local governing body. Language pertaining litigation/liability has been reviewed by the County Attorney. Further emphasis was placed on standard services offered by the State Health Department and items that they will and will not cover (i.e. issues pertaining to zoning, septic systems, etc.). In closing, he advised that the County has much leeway in the way of negotiating the agreement, but noted that negotiations can only be initiated when the budget request is received from the health department during the Board's annual budgetary process.

**Comments from the Board:**

- *Supervisor Weakley: Questioned if the local health department pays rent (State usually has a formula in place)*
- *Supervisor Campbell: Noted that the rent may be based on the costs to the County to provide space*
- *Chairman Jackson: Anticipates that the future Sanitarian will be more receptive to the needs of the citizens here*

The County Attorney noted that the agreement with the Department of Social Services is based on costs to the County to provide space; however, he doesn't recall this type of reasoning being in place for the local health department.

Supervisor Campbell moved the Board approve the Local Government Agreement between the County of Madison and the State Health Department for fiscal year end July 1, 2016 through June 30, 2017, as presented, seconded by Supervisor Weakley. *Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).*

**d. Request to Consider Resolution Pertaining to Levy of Cigarette Tax (Resolution #2016-12):** The County Administrator suggested the Board consider today's resolution, in addition to what was previously discussed pertaining to the legislative program; a number of localities are answering the request presented by Wythe County, who is trying to request that the cigarette tax only allow all localities to be able to enact a tax on these products without a referendum or approval from the General Assembly.

**Comments from the Board:**

- *Supervisor Weakley: Questioned legislative information concerning a change in state code*
- *Supervisor Campbell: Questioned whether imposing this tax will offset other types of local taxes in the County (i.e. TOT); feels localities are always looking for a way to tax something; feels local government is responsible to public safety/health and education – all other types of services that are added can only be funded through tax revenues*
- *Supervisor McGhee: Noted that he wasn't in favor is initiating additional taxes; also concerned about CSA costs; feels the County needs to be open to viable revenue options*

The County Administrator noted that the aforementioned item was referenced in VACo's tentative legislative program; today's request pertains to the cigarette tax only. He further advised that, in his opinion, most folks passing through the County will not notice the tax for making a purchase at a local convenience store. In closing, he noted there is more concern for the citizens than for those just passing through the county. Approval of today's resolution doesn't mean the County will be required to implement the tax, but will only show support for the General Assembly to look at the suggested initiative.

Supervisor Weakley moved the Board approve Resolution #2016-12 [Cigarette Tax], seconded by Supervisor Hoffman. *Ayes: Jackson, Weakley, McGhee, Hoffman. Nays: Campbell.*

**Miscellaneous:**

**Voting Precinct Change:** Supervisor Hoffman questioned if the County could reinstate the Administration building as a voting precinct since the building will not be renovated.

The County Attorney advised that the process to change the voting location may not be as complicated as it once was. In closing, he advised that he would look into the request, consult with the Registrar, and report findings back to the Board.

It was also questioned if Beth Car Baptist Church was compensated for the use of the building as a voting location, to which that a small amount was being allocated.

**Joint Town Hall Meeting:** Chairman Jackson advised that a Joint Town Hall meeting has been scheduled for October 27<sup>th</sup> at 6:30 p.m. with the Madison County School Board at the Madison County High School Auditorium – the public is invited

Chairman Jackson called for a five (5) minute recess.

Chairman Jackson reconvened the meeting.

#### **10. Public Comment:**

Chairman Jackson opened the floor for public comment. With no public comment being brought forth, the session was closed.

#### **11. Information/Correspondence (if any)**

##### **Past Due Bill**

Supervisor Campbell: Referred to a document (provided by the County Administrator) that referenced an outstanding bill (Dr. Herbert Putz) in the amount of \$251.04; he recommended that no further information be furnished (to the citizen) until the past-due balance is paid in full; he also noted that current citizen requests have been responded to in a timely manner without them being charged FOIA fees for every request, as was done by the past Administrator.

The County Administrator advised that the documentation requested resulted from a complaint concerning a location that Dr. Putz believed was selling vehicles, which resulted in being inaccurate.

**School System:** Chairman Jackson: Noted that at the recent school board meeting, it was advised that the drop-out rate is at 1.4%; 85% on-time graduation percentage; school system is moving forward with getting a computer system in order.

**Historical Marker:** Max Lacy of the Madison Historical Society advised that the Blue Ridge Turnpike highway marker has been approved; the marker will be erected close to the existing monument; “Miss Utility” will need to check the site before actual placement is initiated; the State will erect the monument by November 18<sup>th</sup>; the Madison County Historical Society will cover all associated costs.

## **6:00 p.m.**

#### **12. Public Hearing on Amended Lease with the Madison County Historical Society for the Kemper House**

Chairman Jackson opened the floor of the public hearing.

The County Attorney advised that State Code requires a locality to hold a public hearing when a local government rents real estate to another body that isn't another public body. In closing, he noted that the amended lease was initiated by reviewing the existing lease and contains slight modifications – the balance of the term remains the same as the original lease agreement.

The County Administrator noted that the agreement will call for the following changes:

- ✓ The County to continue covering the cost of monthly utilities for the Kemper House;
- ✓ There will be no change in historical practices
- ✓ The Historical Society will be authorized to replace the HVAC system (at Kemper House) at their expense
- ✓ The Historical Society will be authorized to complete renovations to the rest of the basement at their expense
- ✓ Work will be coordinated with the County Administrator and Facilities Director
- ✓ The Board will be advised if further assistance is required
- ✓ The Historical Society will be responsible to providing general liability insurance

The County Attorney also noted that the structure is historical and is subject to the easement requirements established by the Virginia Historical Society, and must be followed.

Max Lacy of the Madison Historical Society was present and advised that the society would like to improve the building and also continue to take care of the Arcade.

The County Attorney noted that a prior Board had the option to utilize the basement of the Kemper House for any specific purpose; however, he stressed the fact that the amended lease denotes that the Madison Historical Society will assume control of the entire basement.

Supervisor Campbell moved the Board approve the amended lease agreement between the Madison County Board of Supervisors and the Madison County Historical Society as presented, seconded by Supervisor McGhee. **Ayes: Jackson, Weakley, Campbell, McGhee, Hoffman. Nays: (0).**

**13. Adjournment:**

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

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R. Clay Jackson, Chairman  
Madison County Board of Supervisors

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Clerk of the Board of the Madison County Board of Supervisors

Adopted on: October 25, 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, October 11, 2016 at 4:00 p.m.**  
**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. Public Comment
3. Constitutional Officers
4. County Departments
  - a. Consideration of Local Resolutions
5. Committee/Organizations
  - a. Eldon James – Regional Legislative Program
  - b. Joel DeNunzio, P.E., Regional Residency Administrator
6. Finance
  - a. Claims for October Applicable to FY2017
  - b. Appropriations for FY16 Encumbered Funds Expended in FY17
7. Minutes:
  - a. #31 & #32
8. New Business
  - a. Proposed Revisions to Process for Placement of Children in Residential Treatment Facilities – Valerie Ward, MCDSS Director
9. Old Business
  - a. It Audit – Budgetary Quotation to Rebuild Wireless Backbone
  - b. Consideration of Proposal to Accept Credit Cards at Solid Waste Transfer Station
  - c. Local Government Agreement with the State Health Department for Operation of Local Health Department
  - d. Request to Consider Resolution Pertaining to Levy of Cigarette Tax (Resolution #2016-12)
10. New Business:
  - a. IT Audit – Budgetary Quotations to Rebuild Wireless Backbone
11. Public Comment
12. Information/Correspondence (if any)
 

6:00 p.m.
13. Public Hearing on Amended Lease with the Madison County Historical Society for the Kemper House
14. Adjournment