

MEETING #36 – June 26

At a Town Hall Meeting of the Madison County Board of Supervisors on June 26, 2012 at 7:00 p.m. in the Brightwood Ruritan Club located at 4689 Lillard's Ford Road in Brightwood:

PRESENT: J. Dave Allen, Chairman
Doris G. Lackey, Vice-Chairman
Jerry J. Butler, Member
Pete J. Elliott, Member
Jonathon Weakley, Member
V. R. Shackelford, III, County Attorney
Ernie Hoch, County Administrator
Teresa Miller, Finance Director
Jacqueline S. Frye, Clerk of the Board

1. Workshop Meeting Agenda

Chairman Allen called the meeting to order and noted that all members are present and a quorum was established.

Chairman Allen explained the guidelines for tonight's forum to include:

1. The Town Hall Meeting will be limited to two (2) hours, or until all topics have been addressed.
2. All questions and statements are to be respectful and in good taste.
 - a. The Board of Supervisors will not discuss or permit any speaker to: make personal attacks on any citizens or county employee, discuss contract negotiations or any other issues deemed to be inflammatory or confidential.
3. The collective Board of Supervisors present will, by majority vote, select a moderator (i.e. the Board will have one [1] person keep track of time and keep the Board on topic), as the Board would like an opportunity to interact as well.
4. The moderator will poll the attendees and ask for topics that citizens wish to discuss tonight. (i.e. the Board has discussed this issue and decided that Ernie Hoch, County Administrator, will serve as the moderator).
5. The moderator will ask all persons wishing to speak to raise their hand to speak, the moderator will select them.
6. Individual topics will be limited to a total of thirty (30) minutes.



Each speaker will:

- i. Identify your name and address;
- ii. Limit questions or comment to five (5) minutes;
- iii. Answers and conversation limited to fifteen (15) minutes per person
- iv. Individual topics will be limited to a total of thirty (30) minutes until all topics have been addressed;
- v. Once all speakers and topics have been presented, repeat speakers and topics may continue;

The Chairman introduced all County personnel (i.e. Clerk of the Board, Finance Director, County Attorney, E911 Director).

2. Pledge of Allegiance & Moment of Silence

The Board of Supervisors commenced their meeting with the Pledge of Allegiance and a moment of silence.

3. Meeting Format

The County Administrator welcomed all in attendance and explained tonight's session will be a learning experience with the intent to make this session as open as possible. Additionally the Board will respond to requests, time permitting. In closing, he urged citizens to feel free to contact his office or the Board members as necessary.

5. Topics for discussion:

a) Midyear estimate of the impact of revenues, budget, diminished revenue/expenditures on property taxes less the reassessment:

Kim Smith (Brightwood,VA) was present and expressed concerns regarding:

- a) Diminishing revenues;
- b) "Money thrown in" (the budget) that isn't accounted for this year, but to be denoted as a 'line item' in next year's budget;
- c) Is there a guide as to what the projected increases minus the reassessment, in next year's budget that will be reflected in local property taxes (i.e. from the mid-point of this year's budget and before implementation of the next fiscal year); and



- d) If there were less dollars for something that was included in last year's budget, how will this also be impacted;

Comments from the Supervisors included the following:

- The new fiscal year runs from July 1st through June 30th of the next year;
- State mandates are in place regarding the comprehensive services act and funding depends on the total number of foster children entered into the system;
- The County has to cover any budget shortfalls implemented by the State;
- There's a website that provides information on unfunded mandates by department that have now become the responsibility of local government.

Ms. Smith advised that many of the foster children aren't fostered by Madison County residents, according to information she received from the local Department of Social Services; therefore, are these children supported by local tax dollars or state funds.

Comments from the Board included:

- Children from Madison County are still the responsibility of the local Social Services Department, even though they may be in foster homes outside the County;
- The budget for social services for this year is about \$2,000,000.00;
- The current reassessment process will impact the FY2014 budget;
- RDA (County software system) sheets provide percentages on revenue/expenditures one (1) month delayed;
- The latest reassessment report denotes that property values will be about thirty percent (30%) lower than during the last process;
- Building lots are at forty-five percent (45%) and farmland is at thirty percent (30%); and
- The Commissioner is responsible for setting land use values;

Jim Smith (Brightwood, VA) questioned that given the amount of farmland owned by an elected official, how can this individual be tasked with setting a fair assessment value.

The Board advised that the Commissioner is an elected official who is tasked with the aforementioned responsibility and she doesn't have her personal property in the land



use program; furthermore, it's is the intent of the Board to make the land use program fair in order to support and promote farming/agriculture in every way possible, and discourage 'hobby farmers' who are only holding land for future development and not producing anything, as they shouldn't be allowed to participate in the land use program. In closing, it is felt by the County moving forward to police the program will ensure that folks claiming land use are actually in compliance with the regulations established for the program. Also, it was denoted that the estimated equalized rate (for Madison County) will be about seventy cents (.70).

Bill Campbell (Graves Mill, VA) asked if the County can elect to use part of the State's land use program and suggested the Board interact with the Commissioner; in the past four (4) years, property in the land use program wasn't taken into consideration during the last reassessment process.

Joe May (Madison, VA) advised there is about \$1,300,000,000 in tax credits that the Commonwealth of Virginia is issuing for people to place their land in conservation, which includes some very wealthy folks in the northern part of Virginia (he's part of this program). In closing, Virginia is one of a few states where a person can actually sell those tax credits.

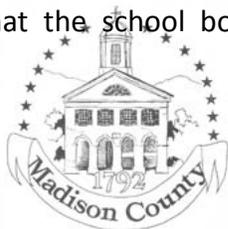
Clay Jackson (Madison, VA) was present and advised there are some folks who do not use the land use program correctly.

The Board advised that the County has thought about using County personnel to assist with looking at properties to ensure those in the land use program are following the guidelines (i.e. cattle grazing, farming, etc.), and those who abuse the program may be required pay fines for any violations that are discovered. In closing, it was denoted that the Commissioner has asked for assistance and the County is trying to encourage alternatives, as the County Administrator has met with the Commissioner and other personnel to implement a plan to work together and audit the participants included in the land use program.

b) Repair and renovation of the local school buildings:

James Lillard (Brightwood, VA) was present and asked if the Board compared budgeted figures, as he feels the County can't continue to borrow and keep spending money, as there will be a 'reckoning'; also, the Board needs to look to the future to determine what will happen if the economy slows more; also, he feels a good education (for the children) was compromised by threats from the school officials to lay off teachers (if their funding request wasn't met) and he doesn't feel that was necessary or fair.

The Board members advised that the school system has been asked to provide projections for the next two (2) to three (3) years, along with other issues of concern which the school board indicated would be taken care of. The Board also reminded the citizens that the school board members are elected by the citizens and are to be



responsible to the citizens, just as the Madison County Board of Supervisors is required to be responsible to the citizens. Additionally, both Boards have participated in joint meetings (usually quarterly), and the County Administrator also meets frequently with the Superintendent to discuss various issues of concerns. In closing, the County Administrator advised that he has been attending all of the school board's monthly meetings in an effort to work together.

c) Budget:

Frank Stidman (Madison, VA) was present and feels that budgetary projections should show an in depth price that denotes all future increases.

The Board members advised that cuts may be needed, although they may be seen as unfavorable and as an unfair approach. Furthermore, the Board implemented categorical appropriations (to the School System) this year.

Ms. Smith asked about an outcome based budget to show what 'we are actually getting for the money being paid' (to the schools). Additionally, she questioned the implementation of a performance matrix based on demographics of an aging population, and what kind of services will be needed in the future to assist with this issue. In closing, she suggested the citizens' need to see 'more in the budget' in the way of concrete information.

Concerns verbalized by the Board included the fact that the school's request did call for a seven cents (.07) tax increase for County citizen and that there are several state mandates that have been added, as well as additional hours being needed by paid emergency personnel to support the volunteer squad as a result of a shortage of volunteers. Additionally, there were increases to healthcare and VRS (\$700,000.00). In closing, the Board advised that any complaints regarding the school board being presented tonight should be relayed at a future meeting of the Madison County School Board, as the Madison County Board of Supervisors is delegated to provide funding and cannot dictate how the school board operates in general.

Ralph Nicholson (Reva, VA) verbalized concerns as to the Board 'caving into' the school's requests; he feels that academics can be provided without 'all the fluff' (that has nothing to do with education), and no matter how much funding is provided to the school system, they will never be satisfied. Also, he feels the land use program is 'out of whack'; also, we all must 'live within our means', and many citizens are really struggling. Also, the school buildings belong to the Madison County School Board and they've received in excess of \$100,000.00 for a year from a local Church that rents the school on Sundays.....'what does that money go towards.'

Ms. Miller advised that the school system makes projections and used the aforementioned funding to balance their budget. In closing, it was also advised that the



school system 'puts money in places', and the Madison County Board of Supervisors has tried to get a more detailed budget, but, to no avail.

Deborah Byrum (Madison, VA) was present and advised that she has daughters attending the high school who refuse to use the restrooms because of the poor conditions.....'something needs to be done.'

The Board advised that funds were appropriated to the school system this year into nine (9) categorical areas; however, the Board can't impose mandates on the school system. Also, there was discussion about the joint CIP (with the schools), and a memorandum of understanding has been requested to be in place to include one (1) school board member and one (1) board member to assess repairs that will be made. Furthermore, it was denoted that the County Administrator has met with the Superintendent about developing an oversight board to notify citizens and encourage their input. In closing, the Board indicated a desire to see the funding (provided to the school system) spent properly; however, the school system has been very resistant to this desire.

Mr. Stidman suggested the Board reinstate the Madison County Finance Committee.

John Underwood (Madison, VA) was present and suggested the issue regarding the school restrooms should be investigated.

The Board advised of being aware of the needed repairs to school facilities, but has no control over what repairs the school makes.

Valerie Miller (Madison, Virginia [former MCHS student]) advised the high school is a horrible building now as it was in the 1990's when she graduated; however, she questioned if the school board is slack in tending to these issues and all she is hearing is negative regarding the school board. Furthermore, she is working with the school board on a project and they're trying to do what they need to do and she questions comments made tonight regarding their lack of cooperation. In closing, they're now involved in a lawsuit because of the mold that's present in the building, and she feels the issue now involves more than 'maintenance' and is actually a 'repair.'

The County Administrator advised the CIP process hasn't been stopped, and certain repairs have been identified; however, the Superintendent has been asked to show the Board what needs to be done annually in an effort to make some smaller repairs before looking at the larger ones. In closing, attempts are being made to incorporate some dialogue; however, the voices present tonight need to also talk to the school board and relay all concerns that have been presented this evening.



d) Sheriff's Department:

Mr. May verbalized concerns about the large amount of deputies in place, the amount of comp time and law enforcement canines, as this wasn't the usual way of doing things when "HOT" Tinsley serves as Sheriff of Madison County in the past.

The Board advised there are two (2) deputies that will be out on extended maternity leave shortly, some will need to re-attend the academy, and drug violations have greatly increased since the days of "HOT" Tinsley's time in office. In closing, it was deemed that reducing personnel at this time will not be beneficial for the County overall.

The County Attorney advised that the lawsuit (that pertains to the issue of mold) doesn't prohibit the County's plans (i.e. CIP), which appears to be misconceived by the public.

Additional concerns verbalized by the Board regarded the fact that school facilities haven't been maintained, as well as there being ADA issues involved. In closing, the CIP does address many concerns (i.e. maintenance vs. repair); however, many issues with the facility are beyond maintenance. Also, the school system does have maintenance personnel who can only do what they're instructed to do.

Junior Carpenter (Brightwood, VA) was present and asked if the local Health Department should be contacted to look at the facilities.

e) Old ABC Store (538 S. Main Street):

Dave Ashley (Rochelle, VA) questioned why a consultant was hired to provide input on the renovations at 538 S. Main Street; departments were relocated to the facility and then relocated back to their original location. In closing, he asked what the future plans are for the facility and how much of taxpayer's dollars have been involved for the costs.

The Board responded that:

- The plans for renovations was approved at a cost of about \$50,000.00;
- Departments were moved into the facility and then relocated back to their original offices, as the endeavor wasn't meeting the needs of the citizens;
- Records stored in the Commissioner's Office need to be digitized (documents are also stored in the Clerk's Office in the event of fire or damage); however, funding hasn't been allocated for this purpose;

Further comments included the fact that it will cost about \$60,000.000 to renovate the Administration Building in order to relocate offices from Thrift Road to that location, and that the prior Madison County Board of Supervisors decided on the CIP which couldn't be undone by the current Board. In closing, it was advised that although the



Old ABC Building has only been partially renovated, it's still usable and has great potential, and this will be discussed further at an upcoming workshop session.

f) Economic Development Plans:

Ms. Smith asked if there were any procedure in place for implementing strategic economic development in the County.

The Board advised the Madison County Planning Commission has started exploring ideas for economic development, and there were also suggestions about reconstituting the Madison County Finance Committee to research funding. Furthermore, it was denoted that the Board needed to determine if (or what) things are worth investing in, as it is the intention of citizens to keep the area rural. In closing, investment in infrastructure will be needed in Madison County, as this isn't in place here; although our 'niche' is different than most localities, there is a strong desire to promote agri-business here (i.e. farm to table endeavors).

Mr. Jackson advised the Commission had someone attend a recent meeting to provide some encouraging input; however, membership in the THJPED costs in excess of \$12,000.000.

Further comments from the Board revolved around the fact that in order to implement infrastructure, local Ordinances will need to be changed, and there were concerns about the market and about refraining from too much debt consumption.

Mr. Campbell questioned whether there was funding to support economic development here since there is very little construction taking place.

Mr. Harris advised that eighty-seven percent (87%) of the local budget is mandated and once taxes begin to increase, they will continue to increase 'til the end of time.

The County Administrator advised the County needs to look at the right type of business that will support our region.

Mr. Jackson advised there isn't a lot of tourism that takes place in the County and a framework needs to be established.

The Board members referenced the Shenandoah National Park and its desire to promote tourism due to the fact that Old Rag Mountain has about 70,000 vehicles visits each year. Also, it was denoted the recent tax increase will also have to offset about \$1,000,000.00 in state mandates. In closing, it was denoted this is the first time the Board has been able to balance the County budget, and it is anticipated that CSA will need additional funding before the end of this fiscal year.



g) Courthouse Project:

Mr. May asked about the costs associated with the courthouse project, as there have been different amounts published in the local newspaper, and whether an oversight has been determined.

The Board advised the County Administrator has researched the costs associated with the project and that there were two (2) phases to the project, which totaled \$10,000,000.00; furthermore, negotiations are still in place with the bond contractor to finish details regarding final clean-up of the project. Although it is believed the project was built to 'high standards' many requirements were mandated for the structure due to its historical nature.

Mr. Campbell commented that the County 'fixed things' before the bonding company was contacted and this has caused the taxpayers in funds.

Jody Schlaatz (Madison, VA) asked if the County has paid anything beyond the projected costs.

The County Attorney advised the County placed the bonding company on notice, and the bonding company paid all the sub-contractors (with the exception of two [2] sub-contractors], and procedures will be implemented to close out the final project. Additionally, the architect that deemed the project 'substantially complete' (although the Board didn't feel it was) has complicated things, as many change orders were made.

Mr. Harris, questioned the RFP for the courthouse project and whether it was negotiated with a fixed price in place.

Waller Jenkins (Madison, VA) commented that most citizens weren't aware that the Courthouse Project was implemented in two (2) phases and the amount of costs associated with the exact amount.

Mr. Campbell commented as to what the 'bottom line' was and whether the Board had this information.

The County Attorney advised that Phase I of the Courthouse project cost about \$2,000,000.00 and Phase II was about \$8,000,000.00, which resulted in a total cost of \$10,000,000.00 for the entire project.

Mr. Harris questioned how the County will be certain the costs associated with school renovations won't be handled in the same manner as the courthouse project.

The Board members advised that precautions will be implemented so as not to repeat the same problems that were associated with the Courthouse Project, as much time was involved with the project and the County didn't receive a 'good job.'



h) Reinstatement of full board meeting minutes:

Mr. Campbell verbalized disagreement with the Board's decision to shorten the meeting minutes and feels that when things are abbreviated, information is left out.

The Board advised that minutes are:

- A summary of what's said;
- A record of members in attendance as well as those absent);
- A recording of action (i.e. vote); and
- A summary of the topic being discussed or acted upon;

It was also denoted that if the Board desired a verbatim of what was said, a court recorder or digital audio recorder should be used. Also, discussions have been implemented as to whether or not minutes can be uploaded to the County's website; however, it's uncertain as to whether there will be enough space to accommodate this endeavor. In closing, it was advised to be unfair to ask the Clerk to spend an inordinate amount of time to render a verbatim of the meeting minutes; however, the requested summary will not be a drastic change to what has been in place in the past.

Ms. Smith commented whether minutes would be 'verbatim vs. outline' and Mr. Jackson commented that if minutes are 'amended' it will appear as though something is being hidden (from the public).

The Board advised the citizens that a copy of the entire recorded version can be provided on a 'thumb drive', with hopes of investigating ways to do things better.

The County Administrator referenced the recording equipment utilized in the courthouse and that this type of system is being researched.

i) Delinquent tax collections:

Mr. Stidman questioned the delinquent tax amount of \$634,000.00 and recommended the Board pursue an aggressive stance and adopt and adopt an Ordinance to deal with the citizens who are constantly delinquent.

The Board members advised there are some citizens who repeatedly wait to make their payments and some citizens do have difficulty paying their taxes. In closing, it was also denoted that it takes time to pursuer delinquencies.

The County Attorney advised that some citizens make payments toward their delinquent taxes by entering into a contract (via the Treasurer's Office). Also, he



advised the Treasurer is a Constitutional Officer and the collection policy that she follows is controlled by the State of Virginia.

Mr. Jenkins questioned where the reassessment firm is located and whether those employed by the firm are appropriately qualified and certified to perform the work they've been assigned to accomplish.

The Board indicated that all employees of Pearson's Appraisal Services, Inc. are fully certified to do appraisals and reassessments; furthermore, it was denoted that the staff are responsible for taking photos of properties and compiling the information into a property reassessment.

Alfred Goossens was present and thanked the Board members for all they've done.

j) County Districts (for Supervisors):

Bill Heflin (Madison, Virginia) was present and advised that about eight percent (80%) of the citizens are in favor of 'districts' and the Board can implement this endeavor without outside support. Although this endeavor will divide the County and allow citizens to have someone they can depend on to assist with concerns in their own area, this will provide natural boundaries. In closing, he feels it's 'hate now' within the community and the citizens need to get back to 'loving one another again.'

The County Attorney advised that the State of Virginia is still under the voting rights act and districting may complicate issues due to there being expense involved; therefore, this County has had Supervisors to represent the entire County and not 'districts. Currently, there are good natural boundaries and the population hasn't changed significantly in the County since the last census.

On direction of the Board, there was a show of hands of all present that were in favor of implementing 'districts.'

Mr. Nicholson advised the recent article in the newspaper regarding turnover at the Sheriff's Office made it sound like deputies left all because of money; however, he has talked with some of those former deputies and they've indicated the problem was based on 'human resource issues' and not money.

Comments from the Board revolved around the fact that exit interviews were implemented and some of the deputies did advise they were leaving for better benefits and pay; also, it was denoted that some jurisdictions pay more in healthcare benefits than Madison County, although it hasn't been disputed that some left because of management or political reasons. In closing, it was also denoted that folks become disgruntled when they're pushed to the limit.

Ms. Miller questioned if something could've been done about the aforementioned concern.



The Board advised the citizens that the Sheriff’s Office is a Constitutional Office and the County is responsible for providing funding only.

The Board thanked the citizens for attending the meeting session and providing input on tonight’s topics.

6. Adjournment:

With no further action being required, on motion of Supervisor Butler, seconded by Supervisor Weakley, Chairman Allen adjourned the meeting, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

J. Dave Allen, Chairman
Madison County Board of Supervisors

Jacqueline S. Frye, Clerk to the Board

Adopted on: August 14, 2012

Copies: J. Dave Allen, Doris G. Lackey, Jerry J. Butler, Pete J. Elliott, Jonathon Weakley, V. R. Shackelford, III & Constitutional Officers

