

MEETING #42– October 27

At a Workshop Meeting of the Madison Board of Supervisors on October 27, 2011 at 2:00 p.m. at Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: James L. Arrington, Chairman
Jerry J. Butler, Vice-Chairman
J. Dave Allen, Member
Eddie Dean, Member
Pete J. Elliott, Member
V. R. Shackelford, III, County Attorney
Teresa Miller, Finance Director
Jacqueline S. Frye, Secretary

Chairman Arrington called the meeting to order and established the presence of a quorum, noting that all members are present.

Chairman Arrington then commenced the meeting with the Pledge of Allegiance and a Moment of Silence.

Agenda Items:

a. Madison Parks & Recreation (Jody Hensley & Becky Hurt)

Jody Hensley was present and verbalized concerns about things that the Madison Parks & Recreation Authority has voted on without appropriate representation from all participating sports groups. Additionally concerns include the fact that:

- There are members on the authority that he feels don't represent all the various sports groups;
- Several members have missed three (3) consecutive meetings (i.e. how can they be replaced);
- What is the term for members on the authority;
- Outside representation is also needed and can provide an unbiased opinion;
- Things have been approved by the authority that haven't been beneficial to all sports groups involved;
- guidelines regarding several members who have missed three (3) consecutive meetings and how they can be replaced. In closing, he feels the authority needs to include some outside representatives with an unbiased opinion;

Supervisor Elliott advised that he is unsure 'who does exactly what' and asked Supervisor Allen to provide an overview since he attends the monthly meetings of the authority.

Supervisor Allen advised that the authority was established by the Code of Virginia as an independent political body that consists of six (6) members appointed by the Madison County Board of Supervisors for a four year (4) term. Additionally, once those individuals are appointed to the authority board, they are an independent body the same as the Madison County Board of Supervisors; therefore, the decisions they make are not reviewable by this Board, not can they be overturned. Furthermore, he advised that hasn't been happy with the issue regarding the leasing of the house by the authority which they took upon themselves as a board. In closing, there are a couple of commissioners (i.e. members) who are unhappy with the decision, but overall, the authority hasn't objected to the decision. In regards to the representation by the commissioners, they are encouraged to attend the meetings, but there have been several meetings that haven't been well attended; however, all of the meetings are made public, routinely take place on the third Monday, and the next meeting will be the 4th Monday in November 2011. In closing, he stated the last meeting was cancelled due to a quorum not being present as a result of a conflict and couldn't be rescheduled. However, the complaints made tonight need to be addressed with the authority; also, all announcements are advertised in the local newspaper when vacancies arise.

Supervisor Elliott questioned whether the authority enforces their adopted by-laws.

Supervisor Allen advised it would be up to the authority to do so; also, their by-laws were rewritten a couple of years, although he is unsure how they handle the absences on behalf of appointed members and this should be discussed during their open meeting session.

Mr. Hensley advised the authority is appointed by the Madison County Board of Supervisors and questioned if the State code requires that members be assigned with a four-year (4) term or if this is a policy established within the County.

Supervisor Allen advised that the former County Administrator and the authority reviewed the statutes a couple of years because things were being done that weren't in compliance with Virginia law, and these issues were corrected. Additionally, the by-laws were rewritten to reflect Virginia law; however, he is unsure if meeting requirements are denoted in the by-laws or whether this is required by law.

The County Attorney advised that most boards abide by a statute of a four-year (4) term.

Mr. Hensley advised that the authority did approve to lease the property without actually creating any revenue for the authority; also, all the monies brought in from Madison Parks & Recreation is attained by volunteers and he questioned whether the authority is considered a governmental entity and a sub-group of the Madison County Board of Supervisors, to which it was denoted they are not, but stand as an independent board.

Supervisor Butler advised that he has a copy of the proposed policies and procedures that denote the authority can appoint various sub-groups and deal with other park aspects within the entire County.

Mr. Hensley advised that facilities and parks & recreation was all under one director (former Director, Ross Shifflett), for the County, at one point.

b. County Website (Robert Finks):

Robert Finks, Director of Emergency Communications, was present and advised that the former County Administrator had contracted Jill Solek-Giles to maintain the County's website; however, Ms. Solek-Giles has accepted a full-time position and can no longer carry this task. Therefore, he advised that Anthony Burke currently resides in the County with his family and maintains the website for his employer, as well as writes programs. Additionally, Mr. Burke has offered to maintain the County's website for a fee of \$1,500.00 to perform the initial setup and \$30.00 per here thereafter to keep the site up-to-date.

Supervisor Allen asked if the aforementioned fees are to redesign the website or to simply cache the site.

Mr. Finks advised that Mr. Burke has advised the existing software isn't favorable.

Supervisor Dean advised that the former County Administrator was the individual who spent months trying to handle most of the items posted on the website; however, Mrs. Miller and Mrs. Frye are able to post items to the website, but problems with the website will need to be diagnosed and there is no one able to handle this issue; therefore, he feels the rates that have been provided by Mr. Burke are well below the fees required by the last technician.

Mr. Finks advised that the initial fee covers the set up and one (1) or more visits to each County department. Additionally, he will handle all dedicated sections in which to post documents in appropriate format. In closing, if anything needs to be posted, departments can email it to Mr. Burke and he will post it onto the website.

The County Attorney advised that he just did the public ad for the hearing on the comprehensive plan. Additionally, the state code has been amended and now requires that the comprehensive plan be posted on the County's website. In closing, he advised the first ad will run in the local newspaper on November 3, 2011; therefore, he'd like to get the updated plan posted by that date.

Supervisor Dean advised that the document may need to be broken down into smaller sections and posted in that manner, and will work with Mrs. Miller and Mrs. Frye to get that into place.

Chairman Arrington questioned whether the Board can accept the proposal without advertising.

Ms. Miller advised that the current price being sought is under the procurement plan (i.e. amount is under \$2,500.00).

Supervisor Dean advised that this may not be so since the fee per hour will be \$30.00 after the initial \$1,500.00 set-up fee.

Supervisor Allen agreed that the proposal by Mr. Burke is a good price.

Ms. Miller advised that based on the existing procurement plan, the County must ask for two (2) written quotes and there is no need to spend funds on advertising. the County needs someone able to maintain and diagnose any problems that arise. In closing, he feels the rates that have been provided by Mr. Burke are well below what the last technician charged the County.

After discussion, it was the consensus of the Board to allow Mr. Finks to attain another price quote and advise Ms. Miller of his findings.

Chairman Arrington questioned the hourly rate and would like to see a cap set.

Supervisor Dean advised there is a base price for the initial set-up and that is the only commitment that will be in place – if Mr. Burke isn't asked to add anything to the website, there will be no hourly fee.

Mr. Finks also advised that Mr. Burke can only bill if he's asked to do something to the website.

c. Community Appointments:

Mrs. Frye informed the Board of the terms of the citizens appointed to the Rappahannock-Rapidan Community Services Board that will expire at the end of December 31, 2011. Also, there are several members on the Madison County Planning Commission whose terms will expire shortly.

Discussions were brought forth about the commission membership being too large and now is the time to decide something on this issue.

The County Attorney advised that a few of the current members are also running for the Board of Supervisors – if elected, this may also cause a reduction in the size.

Supervisor Allen advised that he doesn't see anything as being 'broken' but feels this should be discussed with the Madison County Planning Commission, as they would have valuable input as to whether a reduction in size would be sufficient.

Supervisor Dean advised that if he was to continue serving on the Board, he'd suggest the size be reduced as it appears the existing number isn't productive.

Supervisor Butler also verbalized agreement that a smaller number would be best.

Supervisor Elliott advised that he feels the membership should continue to be an odd number and he feels that nine (9) members would be sufficient; however, he feels the Board should attain input from the Chair of the Commission.

Chairman Arrington advised that he and Supervisor Elliott will meet with the Chair of the Commission and discuss these concerns.

d. Other Matters Not Listed:

U.S. Postal Service

The County Attorney advised that he wrote a letter to the US Postal Service, as the Board requested, and a letter of response has been received that indicated notices were posted at each location for sixty (60) days in order to allow citizens to provide input. The sixty (60) day timeframe for each location is as follows:

Rochelle:	October 30, 2011
Wolftown:	November 1, 2011
Hood:	November 3, 2011
Syria:	November 15, 2011
Oak Park:	November 21, 2011
Radiant:	November 21, 2011

In closing, he advised if citizens who use the aforementioned facilities will need to protest the proposed closure within the timeframes denoted. However, no decision has been made and the postal service is planning to utilize national criteria in order to make a final determination, but communities need to act as soon as possible.

Supervisor Butler advised that a letter has been received from Mr. Campbell that contains a price quote for clearing the property behind the Knighting's in the Town of Madison. Additionally, he suggested the County accept one (1) additional proposal, and also advised that he was in favor of having the property cleared.

Supervisor Dean questioned that the proposal exceeds \$3,000.00 and whether this was in line with the existing procurement policy.

Ms. Miller advised that the amount provided is within the policy limit.

Chairman Arrington asked if it was the consensus of the Board to forward this proposal onto Mr. Finks and ask him to secure an additional quote.

Supervisor Butler suggested Ms. Miller be included.

Ms. Miller advised that she has no expertise in the area of property excavation.

Supervisor Dean expressed concerns that there may be an issue of a conflict.

Supervisor Elliott advised that he will work with Ms. Miller and provide a couple of names who may be willing to provide a proposal and will also provide them with an overview of the work that will need to be done.

Ms. Miller advised that all information must be listed accordingly for each proposal and cannot differ.

Supervisor Allen asked about the requirements for burning a brush pile.

Supervisor Elliott advised that he was unsure, but has been made aware that the Department of Environmental Quality has been involved, although he hasn't gotten a full understanding of what has taken place and whether putting everything in the area in a pile for burning can be a part of the proposal.

After discussion it was denoted there were a few proposals received in the past, which Mrs. Frye advised that she will pull from the files.

Mr. Finks advised that the County will need to determine what the Department of Environmental Quality requires before any burning can be done, as there have been determination of there being some 'wetlands' in the area, which will need to be clarified before anything can be done. In closing, if the 'wetlands' are disturbed and this is reported to the Department of Environmental Quality, the County will be fined a lot more than \$3,700.00.

Supervisor Elliott advised that a representative from the Department of Environmental Quality advised in his opinion, there were plans in the bottom of the area that warrant a 'wetlands' – furthermore, he also thought that part of the area was within historical Madison County and that will change the entire manner in which clearing must be handled.

After continued discussions, Supervisor Dean suggested that Brian Daniel, Erosion & Sedimentation Technician, be called in to provide any input he may have.

Supervisor Allen asked about the County's policy regarding contractors to be fully insured, to which Ms. Miller advised was correct.

Supervisor Elliott suggested the Board ask Mr. Campbell about his intentions so that both proposals will be for the same type of work.

Building & Zoning (request for supplies, etc.):

Supervisor Elliott advised that he met with Wes Smith, Building Official, and Betty Grayson, Zoning Administrator, and was advised that the copier machine and the postage machine in the administration center are shared by all departments, with the postage being paid for by the Treasurer and Commissioner. Additional supplies that will be needed are as follows:

1. LOCKS

Price from Central Virginia Locksmith (825-1311):

\$15.00 per cylinder x 4 = \$60.00;

\$75.00 service fee 75.00

\$2.50 per key x 10 25.00

Total \$160.00

2. CASH BOX FOR BUILDING & ZONING

\$60.00

3. COPIER/SCANNER LEASE FOR ADMIN. BUILDING:

Biz Hub 350 or 250 (will scan and print)

\$150.00 per month plus copies, penny and a half per copy

4. NEW DESK – SERVICE COUNTER FOR BARB, PERMIT TECH.

\$1,000.00

Supervisor Elliott advised that Barbara Piszker, Building Permit Technician, was advised by the former County Administrator that she could purchase a new service counter desk. Also, there are records that both offices use that are housed in the Commissioner's office (i.e. plats) and they will have to travel from location to location. Additionally, he feels these documents should be scanned so all who need them can readily access them. In closing, he suggested these records be downloaded onto the computer so they can be assessed by any personnel who may need them,

Supervisor Elliott also advised that Mr. Smith would like to have the registers in the ceilings at the Old ABC Store repainted since they are rusty. The contractor (Weaver Works, Inc.) has offered to perform this work for \$500.00 and will spray paint them in place since they are already attached to the units. In closing, he stated it will cost more if the contractor removes the registers from their location to paint them; therefore, he

wanted to advise the Board of the aforementioned requests so a decision can be made whether to move forward.

Chairman Arrington questioned whether there was sufficient funding in either of the departmental budgets to cover the aforementioned requests.

Supervisor Elliott asked Mr. Finks if the tax maps could be scanned.

Mr. Finks advised that MSAG has scanned all the tax maps, but the cards on file in the Commissioner's Office can be scanned with any type of scanner.

Supervisor Dean advised that this information may be a part of the past appraisals that have been done for the County.

The County Attorney advised the cards on file in the Commissioner's Office show the actual conveyance of each property, which isn't currently scanned. Additionally, he advised this would be a very time consuming endeavor, based on his office trying to implement this same task for older files, although it's more readily accessible.

Supervisor Elliott asked Betty Grayson, Zoning Administrator, to explain what her department needs from the cards in the Commissioner's Office, to which she did in full detail concerning the various bits of information (i.e. deeds, plats, tax maps, landowner history, etc.) that is needed when assisting citizens with requests.

Ms. Grayson advised if the Board plans to copy the files in the Commissioner's Office to be stored on the computer, Supervisor Dean suggested he will contact the County's representative to see if this information can be added to the RDA system's real estate software.

Supervisor Elliott also advised the need to discuss the parking spaces located at the Old ABC Store, as facilities and maintenance staff park their vehicles there on a daily basis and he's unsure if there will be sufficient parking for the citizens who use building and zoning. Additionally, staff members used to park their personal and county vehicles at the lower lot near the Social Services Building, but moved once the Courthouse Project was completed to allow sufficient space for the citizens.

Supervisor Allen suggested there be a system in place to ensure the files are kept up-to-date.

Ms. Grayson advised that the Commissioner is constantly receiving plats monthly. Supervisor Elliott verbalized concerns that this issue will always be in place unless the Commissioner's Office relocates to the Old ABC Store. In closing, the only way to make things more efficient for staff in other buildings is to have everything computerized and readily accessible.

Supervisor Dean advised that he will speak with the representative from RDA Systems, Inc. prior to the November Joint Meeting, and assess whether any of the information being discussed can be incorporated into the software system

After discussion, Chairman questioned whether it was the consensus of the Board to authorize Supervisor Elliott to proceed with today's proposed purchase request from the Building and Zoning Departments.

Supervisor Dean also suggested the Board move forward with the aforementioned request if this was promised by the former County Administrator, who was the Board's representative, to which it was agreed by other Supervisors present.

Current Parking Arrangements at the Old ABC Store:

Supervisor Elliott also verbalized concerns about staff members (i.e. emergency management, facilities & maintenance) who park at the Old ABC Store, as they occupy quite a few spaces and this will reduce the number of spaces for the public who come to the location. Additionally, he advised that facilities and maintenance staff used to park at the lower lot behind the Social Services Building, but relocated once the courthouse project was completed in order to allow sufficient parking for traffic to the courthouse.

Supervisor Butler recommended the facilities and maintenance staff return to parking at the lower level of the Social Services Building.

Mr. Finks suggested the two (2) members of facilities begin parking at the Thrift Road office since this is the location where they report to sign in and out from their workday.

Hoover Ridge Farmhouse:

Supervisor Elliott verbalized concerns that facilities staff is responsible for cleaning the farmhouse at Hoover Ridge and the fact that Ms. Miller was advised this was to discontinue; however, the existing rental contract clearly states facilities staff will continue to clean the farmhouse. In closing, he expressed disbelief that the County is renting a piece of property that brings in revenue and then pay County staff to clean it, which 'boggles' his mind.

Supervisor Elliott further indicated the contract advised that the contract states that 'either party can terminate the contract within thirty (30) days', therefore; he feels if the Park & Recreation Authority isn't willing to delete that portion of the contract, then the Board should terminate within thirty (30) days and rewrite the contract.

Supervisor Dean questioned the start date on the contract, to which Supervisor Elliott advised was August 16, 2010 and could be renewed consecutively for four (4) years.

Additionally, the County is charged with furnishing light bulbs, repair/maintain any fixtures (i.e. faucets, air conditioning equipment, toilets, drains, etc.), and perform routine cleaning and trash removal at the location.

Supervisor Allen feels if the Board entered into the contract with the Park & Recreation Authority, and it was negotiated at first. In closing, he doesn't feel the authority should be held accountable if the Board didn't properly review the contract and this isn't their fault.

Supervisor Butler advised the contract was implemented on the intention of the Board, through the County Administrator.

After discussions, it was deemed appropriate for the Board to honor the agreement until it can be renegotiated.

Chairman Arrington advised that he feels the County needs to honor the contract until it can be renegotiated.

Supervisor Elliott questioned whether the majority of the Board is willing to continue 'throwing taxpayer's money' into cleaning the farmhouse. In closing, he suggested the Board put it out for bid and try to recoup some revenue.

Supervisor Butler suggested the Board approach the Park & Recreation Authority to see if they're willing to renegotiate the contract, and if not, then the County should honor the existing contract.

Supervisor Allen advised that the authority meets on November 28, 2011 and he will bring the issue up at that time.

Public Comment:

Chairman Arrington opened the floor for public comment.

Becky Hurt was present and stated that she would like to review a copy of the agreement that has been discussed. In closing, she also asked to review documentation to denote how many years the existing members of the authority have served.

Mrs. Miller advised that she has a copy of the contract and can assist.

Mrs. Frye advised that she will pull the letters in question.

Bill Campbell was present and spoke of his involvement with Mr. Fisher and his desire to rent the farmhouse at Hoover Ridge. Additionally, he feels the issue of renting the farmhouse was an 'in house deal', despite the fact that both interested parties were

supposed to be fully responsible for the property; however, it appears the Board members who wanted to rent the property to the authority have gotten their way and the citizens are paying for it, which is wrong. Furthermore, he verbalized concerns that the Board doesn't want to work with him, as he would've been happy to answer questions about the proposal he presented, and now there appear to be concerns about a contractor being bonded, but this wasn't an issue when he assisted in getting the flag untangled at the War Memorial Building and his services (free of charge) were gladly accepted. In closing, he suggested the Board be honest enough to say 'we don't want you involved, we don't want your proposal, we don't want nothing to do with you' ...'I can handle that.'

Supervisor Butler advised that he feels the Board should review the proposal as presented.

With no further comments being brought forth, Chairman Arrington closed the floor for public comment.

Proposal from EMS (fee increase):

Supervisor Butler advised that a proposal has been received from EMS.

Lewis Jenkins, Director of Emergency Medical Services, was present and advised that information has been received from Medicare regarding their desire to raise the rates for emergency transport services, as per the request of Fidelis, Inc. Additionally, he advised the only thing that will change is the rates charged to insurance carriers and there will be no change in the level of service being provided, or to the original Ordinance that was adopted. Lastly, he asked the Board to authorize the fee increase at during their November meeting and these rates will be effective by Fidelis, Inc. in December 2011. In closing, he advised that he will be absent from the November Regular Meeting, as he will be in Norfolk, Virginia for training.

Supervisor Butler suggested the Board prepare a Resolution for discussion at the November Joint Meeting.

Mrs. Miller advised the Board that the loan for the emergency communications equipment has been completed.

e. Adjournment:

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

James L. Arrington	Aye
Jerry J. Butler	Aye
J. Dave Allen	Aye
Eddie Dean	Aye
Pete J. Elliott	Aye

James L. Arrington, Chairman
Madison County Board of Supervisors

Jacqueline S. Frye, Acting Clerk to the Board

Date Adopted by the Board: November 9, 2011

Copies: James L. Arrington, Jerry J. Butler, J. Dave Allen, Eddie Dean,
Pete J. Elliott, V. R. Shackelford, III & Constitutional Officers
