

MEETING #5 – January 27

At a Workshop Meeting of the Madison Board of Supervisors on January 27, 2011 at 2:00 p.m. at 302 Thrift Road:

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
Lisa Robertson, County Administrator
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.

Madison County Planning Commission Vacancies:

The County Administrator explained that two (2) vacancies will occur on the Madison County Planning Commission – one expires on January 31, 2011 and the second expires on April 11, 2011. During the advertisement, there were no new applications completed and during the last course of interviews, the Board advised applicants that their interviews would be good through December 31, 2011 and they could be re-interviewed for future vacancies should they so desire, therefore, she asked which course of action the Board would like to undertake.

Supervisor Dean advised that no valid interview has been held with the incumbent whose term expires in April 2011 (David C. Jones), although all other applicants have been interviewed.

Chairman Arrington asked for discussion from the Board as to whether it was a consensus to interview Mr. Jones.

After discussion, Supervisor Elliott suggested the Board with the same guidelines that have been established for past applicants.

Supervisor Butler questioned if all applicants are re-interviewed, will those applications continue to be active for an additional six (6) months; he would also like to hold off on interviewing for the position that will not expire until April 2011.

The County Administrator advised there are only two (2) terms that will expire in 2011 and several that will expire in 2012.

Chairman Arrington asked if it would be the consensus of the Board to have the County Administrator proceed with setting up interviews for the incumbent and offer a second interview to any prior applicants who desired to do so.

Supervisor Allen questioned if the Board will plan to fill both terms at this time or wait to fill the second term after it actually expires in April 2011, as filling one (1) term could be accomplished from the existing pool of applicants who have already been interviewed.

Supervisor Elliott stated he feels the Board will have to fill one (1) term now since it expires in January 2011, however, if so desired by the Board, he would have no problem with filling both positions while the Board is in closed session.

Supervisor Dean stated he did not feel it was a good plan to have a vacant seat on the Madison County Planning Commission when there are available applicants who have already been interviewed; therefore, he suggested the Board name a replacement and have a full commission in place.

After discussion, it was the consensus of the Board to move forward with appointing an applicant for the position that expires January 31, 2011 during the February Regular Meeting.

The County Administrator advised that if the Board waits until the February Regular Meeting, the Commission will be one (1) member short for the February Joint Meeting.

Supervisor Dean advised that it shouldn't create a problem if the one (1) seat is vacant for the one (1) meeting, and feels the Board should wait until. In closing,

The County Administrator asked for clarification as to whether the Board wanted to move forward with interviews for the position that will expire in April 2011 during the February Regular Meeting, to which Supervisor Dean suggested wait until March 2011, based on the upcoming budget sessions, and the Board agreed.

Personnel Policy Changes:

Supervisor Butler stated that he would like to see the personnel policy emphasize the phrase that employees are 'at will with the pleasure of the Board of Supervisors' on the front of the policy manual; also, with respect to the supervision of the employees, he'd like there to be a phrase that denotes the "Board of Supervisors will have overall supervision and may designate a personnel administrator at the Board's will, and the person will continue to run the policy." Furthermore, he recommended that Lisa Robertson, County Administrator, continue being the Personnel Administrator and run the policy as stated in the manual with the only change being that the Board of Supervisors would be the ultimate supervising authority and also add "they may" designate a personnel administrator and delete 'they shall...'

Chairman Arrington expressed agreement with the aforementioned suggestion and asked for comments.

Supervisor Elliott stated that he met with the County Administrator a few days ago for a good bit of time and understands more about the personnel policy today than he did yesterday. Also, he advised that the County Administrator went into great detail about how she prepared the policy and also asked her to share her ideas as to how to fix the existing problems that have been verbalized.

The County Administrator stated that she and Supervisor Elliott discussed the concerns that the Board has been expressing for a while; also, when the existing version of the personnel policy was being created, the prior Board indicated that some explicit provisions were omitted as to 'who hires, fires, or has an influence' over the evaluations of the Department Heads. Therefore, she thinks this is a valid point and she doesn't consider the County Administrator as being the one to have the authority to hire or fire Department Heads without input and approval of the Board, and feels this is the Boards' feeling as well.

The County Administrator advised that if the wording changes are incorporated as earlier suggested, it will mean that 'everyone' will report directly to the Board and unless the Board takes a five-person vote to allow the County Administrator to take action on any given situation, she is 'powerless from day to day.' However, the existing policy could probably be reworded to include verbalization that the County Administrator will "do these things day to day", and she suggested the wording be more clear to denote that the Board will have active and direct input regarding hiring and firing of Department Heads, and she'd like to see the Board have a role either in participating in the reviews of Department Heads on an annual basis, or if desired, an annual closed session can be scheduled during which time the County Administrator can present evaluation information to the Board.

The County Administrator concurred with the fact that the personnel policy already denotes that employees do serve 'at will' and believes this is the same language denoted in the State Code. Additionally, she suggested the grievance policy remain as is, since this matches the State Code's guidelines – some employees do have grievance rights and some don't, however, the Board needs to make a determination as to how to resolve issues that have been brought forth.

Supervisor Butler referenced in some grievances cases, the courts have contended that action is only administered if an employee is ordered to perform a task that is illegal.

Chairman asked the County Administrator to make some updates and present a draft to the Board at a later time for review.

The County Administrator stated that she will highlight areas of concern by the Board, incorporate some changes, and provide a draft for review. Additionally, she feels the requests are legitimate. of the policy that will be changed.

Supervisor Allen questioned whether input on evaluations will be administrated by each Board member individually or as a full Board in order to provide recommendations.

The County Attorney advised the aforementioned action has never occurred in the past, but sees no reason why the Board members couldn't participate individually on personnel matters, but any action taken should be implemented by the full Board.

Supervisor Butler stated that he didn't anticipate anything extremely negative would come forth to warrant any action by the full Board, but wanted each member to be allowed to provide comments if desired.

The County Attorney also advised that personnel files are confidential

The County Administrator advised that she will compose a form and will contact the Board when it's time to begin the process. At the present time, she stated the process involves employees:

- 1) Performing a self-evaluation;
- 2) Department Head performs an evaluation;
- 3) Both meet together.

The process for the Department Heads will consist of a:

- 1) Department Head performs a self-evaluation;:
- 2) County Administrator collects comments from the Board and compiles the information;
- 3) County Administrator will meet with the Board before signing off on the evaluation.

In closing, the County Administrator advised the above referenced process is very similar to what is done by the Social Services Board.

The County Attorney advised that the employees in each Constitutional Office are not "county employees" and doesn't want there to be any confusion within the public realm.

The County Attorney asked for the total number of county employees, to which the County Administrator advised was about seventy (70).

Supervisor Butler advised that Constitutional employees' salaries are supplemented by the county and whether this factors considers them to be a 'county employee' because of their supplemented salary.

The County Administrator advised that everybody is basically a 'county employee', but in terms of the Board having the right to 'hire and fire', the Constitutional Offices have full control in this realm. However, the Board can change budget funding, but cannot participate in the hiring or firing process within those offices. In closing, she advised that most Constitutional Offices have elected to participate in certain sections of the county's

personnel procedures, and have agreed to administer an evaluation process annually, although they don't utilize the county's evaluation forms. Also, when the evaluations are completed, the scores are provided to the County Administrator.

The County Administrator also advised the Board can always send the Constitutional Officers comments and concerns after the evaluations have been completed. In closing, she stated that when the Board brings forth a complaint about a Constitutional Office employee, she will need to refer this information to the Constitutional Officer in writing.

Supervisor Elliott also questioned if the Comp Board funds the salary of an employee in a Constitutional Office and the county supplements part of the salary, the county has the right to remove this funding during the budget process, to which the County Administrator advised was correct.

Supervisor Butler thanked the County Administrator for all of the information he forwarded to her.

In closing, Chairman Arrington advised that today's discussions have covered all his areas of concerns; he also questioned where the personnel policy states that employees currently serve 'at will', to which the County Administrator provided the appropriate location of the aforementioned statement.

Supervisor Dean questioned where the section on department heads would be placed within the personnel policy, to which the County Administrator advised that she might place the general language at the front of the personnel policy, and in Section 3 a summarized statement that will contain information as to what procedures will be undertaken in the event there is a department head vacancy (i.e. hiring process) and an additional section to deal with evaluations and review standards as recommended by the Madison County Board of Supervisors.

Supervisor Elliott thanked the County Administrator for today's meeting and the information he was provided.

Supervisor Dean stated that he was under the assumption that Department Heads were the positions that the Board had reserved, and individual employees were under the direction of the Department Head and the County Administrator.

The County Administrator advised that she would never assume the role of firing/hiring a Department Head without the input of the Board, nor was that ever the intention in the personnel policy that was approved. In closing, she stated the document may still be a work in progress; she will incorporate updates as needed and there may be other things that the Board would like to update as time progresses.

Chairman Arrington made reference to a section in the personnel policy that relates to the supervision of employees and being 'at will' and feels this section should be more definitive.

Supervisor Butler stated the grievance policy will be applied when 'at will' situations take place.

The County Administrator offered recommended changes to the language contained in the aforementioned section and included the wording "applicable provisions in the county's personnel regulations." Additionally, she reminded the Board members that not all employees have grievance rights, and in certain situations, this may or may not be applicable depending on whether or not there is a procedure to cover the issue on which they'd like to 'grieve'.

Supervisor Butler commented there have been court cases in which employees did file a grievance after being terminated; however, it was found that the employee was ordered to do something illegal, and therefore, couldn't be removed. In closing, he anticipates there shouldn't be any such cases in the county.

Chairman Arrington asked the County Administrator to incorporate the recommendations and return with a finished draft for review during the next meeting session.

Supervisor Dean stated the Board has discussed evaluations of the Department Heads, but the Board also needs to discuss the fact that a personnel review hasn't been done for the County Administrator since she was employed about four (4) years ago; therefore, he stated it will be difficult to ask the incumbent to devise a policy for this procedure, and feels the Board needs to move forward with this task, as this is the Board's responsibility.

Supervisor Butler asked if there was a performance appraisal plan in effect for the position of County Administrator; he also stated when the Board initiates this process, such a plan should be available and reviewed.

Supervisor Dean stated the above process is contained in the job description for a County Administrator, in that the incumbent is solely responsible to the Board of Supervisors.

Chairman Arrington stated he believes the Board should also be initiating annual appraisals, as to the best of his recollection.

Supervisor Dean stated he was unsure if there was a job description or a 'contract' between the Board and the County Administrator.

The County Administrator advised that she didn't have a written contract, and the Board didn't have a job description when she arrived. However, the State Code is relatively clear in that it provides details of what a County Administrator does so she took that list of things and developed a job description that has been placed into the county's personnel descriptions. Additionally, she stated she will come up with a form to propose to the Board for review along with the job description that she has at the present time.

Supervisor Butler asked if something would be available in time for the February Regular Meeting so the Board can incorporate some suggested changes, if necessary.

3. Site Plan Ordinance Amendments & Zoning Ordinance Amendments:

Site Plan Ordinance

The County Attorney advised that the Site Plan Ordinance was drafted by the County Administrator, but this document has been completed and ready for review for some time.

The County Administrator advised the document has been reviewed several times and she made copies in the past from a prior meeting. Also, the document has been reviewed by the Madison County Planning Commission, although no Public Hearing has been held to date. Additionally, the main changes in the Site Plan Ordinance is a reworking of ideas in order to make fewer requests subject to the requirement of needing a site plan (i.e. single family dwelling, accessory buildings, swimming pool, shed, picnic shelter), and will denote a list of items that would require a zoning permit and also a list of things that would require a site plan. Also, there is a reflection in the Site Plan Ordinance that incorporates the procedures required by VDOT, however, the new version will eliminate the aforementioned process and the county will be able to take action without having to wait for an endorsement from VDOT. Lastly, at the recommendation of the Madison County Planning Commission, there will still be a provision where the Madison Health Department will need to approve any drainfields before the county can take any action.

Supervisor Elliott stated one issue he questioned was if an individual wanted to install a utility shed that is under one hundred fifty square feet (150') for storage use only (no building permit required), and it can be relocated in different areas on the property (unditched to a foundation), will a zoning permit still be required. Additionally, a building permit isn't required for a structure that is the aforementioned size and isn't attached to a foundation). In closing, he feels the manner in which the Site Plan Ordinance is worded will require citizens to purchase a zoning permit.

The County Administrator advised that the Building Inspector and Zoning Administrator usually try to make good coordination between all these issues; therefore, if a structure isn't attached to the ground (i.e. playhouse) and wouldn't require a building permit, she feels this is only something being utilized as an accessory building. As denoted on page two of the Site Plan Ordinance, if a building can be categorized as an 'accessory building' or a building for 'accessory use', the intent is that a zoning permit will be required, however, she doesn't believe there are many requests for zoning permits for items that aren't going to be attached or permanent. In closing, if the county thinks it would be helpful, she can incorporate reference to the fact that in order to be subject to the requirements of a zoning permit, the nature of the structural building has to be such that it's attached to the land or 'fixture.'

Supervisor Elliott explained that once a structure is in excess of one-hundred fifty square feet (150'), it must be tied down to the ground, which is part of the building code; however, anything under the aforementioned square footage doesn't have to be tied down. In closing, he stated he didn't see the reasoning in requiring someone to purchase a zoning permit for a structure less than one-hundred fifty square feet (150').

The County Administrator advised that she can insert language to denote that 'anything less than one-hundred fifty square feet (150') is acceptable.

Supervisor Butler verbalized concerns regarding circumstances in which zoning requests are denied and whether there is a procedure in place for the applicant to appeal the decision, to which the County Administrator stated she believes the individual can come before the Board of Zoning Appeals, as denoted in the Virginia Code, to handle any grievances regarding a determination made by the Zoning Administrator.

Supervisor Butler asked if the aforementioned language is included in the Site Plan Ordinance, to which the County Administrator advised is contained in a different section of the County's Zoning Ordinance.

The County Attorney advised there is a section in the County's Zoning Ordinance that denotes the guidelines behind the establishment of the Board of Zoning Appeals, as referenced in the State Code. Also, in addition to granting variances, one of the responsibilities of the Board of Zoning Appeals is to make a ruling on any appeals brought forth regarding zoning issues.

Supervisor Butler stated there is also language that denotes the Zoning Administrator has the final authority (although the word "final" is crossed through), but there is no indication as to what citizens can do if they are dissatisfied with the ruling.

The County Administrator also advised that in the past, there has been a 'stand alone' Site Plan Ordinance, but the document is supposed to work in conjunction with the Zoning Ordinance and as a working part, and established as an appendix. Therefore, she feels this process will help to clarify the procedures, enforcement, and appeal rights that apply to other zoning issues in the event a citizen isn't satisfied with a determination made by the Zoning Administrator on a particular zoning request.

Chairman Arrington referenced the format of the various recommendations and questioned whether amendments will be needed in the event Zoning Department and Building Department are reinstated within the same office, to which the County Administrator advised that both Departments will continue to operate under difference Ordinances, although these documents can functionally be combined; however, no amendments of the existing Ordinances will be required.

The County Administrator advised if she incorporate language to denote that a temporary structure less than one-hundred feet square feet (150') will not require a zoning permit,

but a permanent structure of the same size will require a zoning permit, would the Board be comfortable with that change and move forward with a public hearing.

Supervisor Dean stated he has concerns that in the event a family places a shelter at the bus stop on their road for the kids to stand under to wait for the bus, and whether a fee will be imposed; however, he feels a zoning permit should be required if the structure is permanent, but not if it's temporary.

Chairman Arrington asked about the difference between 'temporary' and 'permanent', to which Supervisor Dean advised that if a definition isn't provided for either, then language needs to be incorporated for clarification.

The County Administrator stated there is a section in the Site Plan Ordinance (A-227) that refers to structures that are less than one hundred square feet and 'strike-outs and line throughs' that are denoted were the result of review by the Madison County Planning Commission.

Supervisor Elliott verbalized concerns that Malvern Subdivision has various covenants in place to prevent a property owner from establishing a saw mill there; however, based on the definition contained in the Ordinance, he believes a saw mill could definitely be established in other subdivisions within the County that don't have specific covenants in place to prevent such.

The County Attorney advised that he prepared the amendments exactly as the Madison County Planning Commission recommended; he also stated that language could be included to make a saw mill acceptable by special use permit; he also advised that modifications may be utilized (i.e. acreage restrictions).

The County Administrator also related that a requirement could be incorporated to denote "use allowed provided there are twenty (20) acres.

Board members also verbalized concerns that:

- a) Residential areas need to be protected; and
- b) Include language to denote 'permitted by right but not in a subdivision';
- c) Expense associated with acquiring a special use permit;

The County Attorney advised that a "subdivision" can actually include any subdivision of land.

The County Administrator advised there are recommendations from the Economic Development Committee to do away with the special use permit requirement and make uses 'by right' instead.

Supervisor Dean suggested the Board move forward with scheduling a public hearing to present the Site Plan Ordinance along with the other Ordinances that have been completed to receive public input, refine the information received and incorporate

suggestions before approval. In closing, he suggested the Board move forward and get some things done, and also suggested today's changes be incorporated into the Site Plan Ordinance so a joint public hearing can be scheduled in March 2011.

After discussion, it was the consensus of the Board to advertise for a public hearing in March.

Before closing discussions, the County Attorney advised that he would be in New Zealand at the time of the March Joint Meeting.

The County Administrator advised that separate public hearing sessions could be scheduled.

Supervisor Elliott advised that the Zoning Administrator indicated there have been individuals inquiring about doing some site plan work; therefore, if the proposed Site Plan Ordinance can be discussed and put into place, the county could use this document to help the proposed applicant.

In closing, the County Attorney feels that since it's the Board's usual ruling not to take action immediately following a Public Hearing, everything should be fine in his absence, to which the Board agreed to continue with the Public Hearing in March 2, 2011.

4. **Proposed Use of the Old ABC Store & Possible Renaming:**

The County Administrator stated that as per the Board's request, she asked the representatives from Crabtree, Rohrbaugh & Associates to provide some sketches to show possible uses for the space at the Old ABC Store and the County Administrative Office (four [4] sketches for ABC and two [2] sketches for CAO).

The County Administrator provided a detailed overview of the various sketches that have been provided and advised which departments could be easily relocated into the Old ABC Store with very minimal expense. Additionally, she advised that Mr. Levatto focused on the front portion of the building since this area will be easy to partition off. Also, she advised that should the Zoning Department and Building Department be relocated to the Old ABC Store, this will leave sufficient space in the County Administrative Office to accommodate the Board of Supervisors, County Administrator, Director of Finance & staff) and a few other possible options should the Board be interested, as well as sufficient space for the Director of Facilities & Secretary.

The County Administrator also advised that the Building Inspector and Zoning Administrator have advised that they do need access to records housed in the Commissioner of the Revenue's Office, therefore there may be the possibility to reorganize so that the Commissioner of the Revenue's Office can be relocated to the Old ABC Store as well, and shift things in the County Administrative Office

to accommodate the Treasurer's Office and allow them additional space for the tax season.

Supervisor Butler asked if cost assessments have been provided, to which the County Administrator advised will not be discussed until a firm decision has been made by the Board.

The County Administrator advised that Mr. Levatto has left space at the County Administrative Office for either the Treasurer or the Commissioner of the Revenue, in an effort to afford the Board to provide input for changes in the layout of offices. In closing, she advised that depending on the costs involved, the Board may also have the option to renovate the rear of the Old ABC Building and relocate the Game Warden to another area.

Supervisor Butler questioned the sketch showing proposed new windows at the Old ABC Store and questioned whether these windows are necessary, as this may be an additional expense; he also asked if there were cost assessments in place.

The County Administrator stated this suggestion isn't a building code requirement, but it was felt that additional light would make the space more comfortable for utilization as an office. In closing, she stated that no cost estimates have been discussed as Mr. Levatto was asked to provide options that would call for the least expense possible. Also, a decision will need to be made as to which general layout will work best and also decide whether the Board of Supervisors' Office will be moved to the Old ABC Store or back into the County Administrative Office. Once a decision has been made along with a budget synopsis, Mr. Levatto will prepare final plans. Lastly, the County Administrator feels the main issue that will produce the most cost will be the upgrading the restrooms at the County Administrative Office since these aren't handicap accessible. Also, the cost associated with the level of work on these spaces will depend on whether building code requirements will need to be met.

Chairman Arrington advised that the Board will need to decide whether it's best to move the Board of Supervisors Office to the Old ABC Store or to the County Administrative Office; after this determination is made, the rest will fall into place.

Supervisor Elliott expressed concerns as to why certain information in the Commissioner of the Revenue's Office isn't in the computer system, which would be much easier to access rather than utilizing paper files; he also advised that he feels the Finance Director, County Administrator, Treasurer's Office and the Commissioner of the Revenue's Office in the same building where all bills are paid. In closing, he also verbalized agreement with having the Zoning Department and Building Department beside one another to make things easier for the citizens.

Supervisor Dean agrees with the Option 1 for the Old ABC Store because:

- 1) The Board needs to have a uniform meeting space and not in various locations;
- 2) The County Administration Office offers ample meeting space;
- 3) The Treasurer's Office needs to be located in a facility that offers the best parking to accommodate citizens during tax season;
- 4) Information in the Commissioner's Office should be computerized and accessible for other departments who need this information;
- 5) Treasurer's Office has high traffic volume;
- 6) He doesn't feel the county is fully utilizing the space at the Old ABC Store;
- 7) May offer a resolution for relocation of the Madison County Literacy Council and also provide them with a classroom for evening courses they offer;
- 8) Facilities Director & Secretary could easily be relocated to the Old ABC Store;

In closing, Supervisor Dean also concurred with Chairman Arrington in that a decision needs to be made as to where the Board of Supervisor's personnel should be located and he feels the County Administration Office is the best location.

Supervisor Allen stated he was in agreement with Option 1 for the County Administration Office, but also agrees that the Director of Facilities should be located elsewhere as there will be constant traffic that will cause a disruption to the operations within the Board and County Administrator's offices. In closing, he feels the rear of the Old ABC Store can provide some flexibility.

Chairman Arrington stated he'd like to see a small space available for the Board and County Administrator where a table and chairs can be situated to allow meetings with the public.

Supervisor Dean concurred with the aforementioned comment and feels this is very much needed. Additionally, he feels that Option 1 can accommodate this space by removing the Director of Facilities from the County Administration Office.

The County Administrator stated if the Director of Facilities is removed from Option 1 for the County Administration Office, a conference can be situation to allow the Board to hold the monthly Workshop Meeting.

Supervisor Dean also suggested changes to the auditorium at the County Administrative Office and have all meetings in that space; however, he feels the Board doesn't need to be up on a platform, and feels that with proper spacing, good meetings can be held there for all sessions and allow a change in the Board's seating arrangements. Also, there will some costs associated with the

aforementioned changes, but he feels the Board has an obligation to provide a more 'user friendly' environment.

The County Administrator advised that no information in today's discussion has been relayed to any of the departments, as she wanted to get the Board's point of view first. Additionally, reconfigurations could be incorporated so the Treasurer's Office can be close to an outside doorway that will not be shared with other offices, and it is also possible to have this office combined with the Commissioner of the Revenue's Office with individual office space and the rest can be a tax department that handles collections, assessments, etc. and could possibly leave a bit of additional space that can be utilized for something else.

Supervisor Dean verbalized that perhaps some cross training could be incorporated between the two aforementioned offices, as this would be a benefit during tax season, and also in handling land use applications, personal property paperwork, etc. In closing, he suggested this effort be addressed.

Supervisor Butler verbalized concerns regarding spending funds to rehab buildings during this fiscal year, and asked if there was any way these changes could be implemented without redoing all of the office space associated with today's diagrams.

The County Administrator advised that funding will be needed, and the Treasurer's Office is in the middle of a busy time.

Supervisor Dean suggested that the Board at least assess the available space and decide which department fits where, and then attain some estimates as to cost.

The County Administrator stated that partitions will be needed at the County Administration Offices which will be less expensive and more viable than re-working the area in the Old ABC Store.

After discussion, Supervisor Butler and Chairman Arrington verbalized their agreement with Option 1 for the County Administration Offices.

Supervisor Elliott questioned whether the county will have to bring everything up to code in the Old ABC Store if this space is utilized for offices.

The County Administrator advised that she will talk with the Building Inspector, as this was not necessary when the Clerk's Office relocated there during renovations to the Courthouse; she also stated that most of the work outlined in today's sketches will not require much work. In closing, she stated there will be substantial costs associated with the County Administration Offices; however, she will look into getting estimates for the Old ABC Store and also question whether offices can move from the County Administration Offices to the Old ABC Store

without any costs; and what will be the costs to reconfigure based on Option 1 with or without the upgraded restrooms and moving the walls.

Supervisor Dean suggested the county attain cost estimates to get the two (2) restrooms ADA compliant.

Supervisor Elliott also asked if either one of the buildings has roof issues and if so, can these concerns be addressed at the same time relocation of departments is being undertaken. In closing, he doesn't want to spend funding on renovating offices and leave roof issues unattended and deal with damage issues after departments have been relocated into the building.

Supervisor Dean advised it's almost certain there are roofing issues at the County Administration Building, as there are tiles in the ceiling with stains. Additionally, he wasn't sure if the Old ABC Store has puff roofing.

The County Administrator advised that the representatives investigated the roofs at both locations, but there wasn't any determination that anything was significant as what's at the Sheriff's Office.

Supervisor Allen advised there was language that denoted the roof at the Old ABC Store is puff roofing and it is anticipated that repairs will be required in 2013 with replacement to be in 2017. Apparently, the roofing isn't in bad shape.

The County Administrator stated she believes the flat roof area at the County Administration Office is a bit more urgent than the metal roofing areas.

5. Matters Not Listed:

a. Transient Occupancy Tax:

The County Administrator provided an update on the transient occupancy tax and stated that both bills passed the house and the general tax that would allow the county to raise the tax to five percent (5%) – 72 yes, 27 no; and the authorization to do a combined food and transient occupancy tax passed with 68 yes, 29 no; therefore, both items are progressing.

b. Cooperative Extension Restructuring:

The County Administrator advised that Brad Jarvis, Extension Agent, reported there are several bills in the General Assembly to deal with the issue of cooperative extension funding in many categories; however, the Dean of Virginia Polytechnic isn't budging. Additionally, he delivered some informational materials that he received and there has been a sample response repaired. In closing, she has been asked to follow up with another letter to the same original individuals and provide a position statement that "the Dean isn't budging but the county still opposed the

proposed restructuring plan, which she feels is consistent with instructions previously given by the Board.

Supervisor Dean asked if Delegate Ed Scott has a bill on the floor to designate how much funding could be spent on the school campus, to which the County Administrator advised was correct, but Delegate Scott's bill doesn't contain a cap as to how much funding will need to go toward cooperative extension, and some of the bills that have been brought forth include some financial commitment (i.e. suggestions that the General Assembly designate funding directly; others advise to keep the structure in place but mandate that funding sent to the school is utilized as required).

c. Main Street Project:

The County Administrator advised that she forwarded information to each Board member to notify the next phase of the Main Street Project (i.e. sidewalk improvements) and she has the bid documents that have been approved and will need:

- * Authorization from the Board to put the work out for bid;
- * The invitation has to remain open for at least thirty days (30);
- * Once bids are received, there will be DBE requirements to be met and the low bidder's information must be resubmitted to the Richmond Office for approval before the contract can be awarded;

Additionally, the County Administrator advised that once the above referenced issues have been taken care of, since this project is a 'no plans' project, the county will be required to have an individual on the county payroll that is a VDOT certified inspector to handle inspections throughout the project. Although this individual will not relieve the contractor from the obligation to perform inspections, but the VDOT inspections can only be performed by their own certified inspector, as these services cannot be placed out for bid because of the original manner in which the project was initially approved. In closing, she advised the Board will need to authorize the above action and she has received two (2) or three (3) names of individuals who are certified that she will share with each Board member individually. Also, the county will be unable to award the contract until the above referenced individual is in place.

Supervisor Butler asked if there will be enough time to advertise for those individuals, to which the County Administrator advised this can be done, but the county will be unable to hire just anyone – the individual must be already VDOT certified.

Supervisor Butler asked if there were additional citizens that are certified by VDOT or just the ones mentioned today.

Supervisor Butler asked how the Town of Madison weaved into the project.

The County Administrator advised that the county will need to re-verify that the Town of Madison can certify their portion of the local match (total match is \$85,000.00), which she believed was a commitment of \$20,000.00 in prior years; however, she is unsure if they included these funds within their budget.

Supervisor Dean asked how much of the funding amount can be denoted as 'in kind services.'

The County Administrator stated she didn't anticipate that any of space as being 'in kind services.'

Supervisor Dean advised that based on what was done during the last portion of the Main Street Project and the commitment and time that was invested, he is unwilling to agree to the county funding half of the required funds while the town sits back and does nothing. Additionally, if the town is only willing to pay \$20,000.00 for sidewalks in the town, he will have a difficult time convincing himself to agree for the county to continue this project.

Supervisor Elliott verbalized agreement with the aforementioned comments and also asked who wrote the bid documents for the project.

The County Administrator advised that she wrote the bid documents with input from VDOT staff at the Culpeper District Office.

Supervisor Elliott also questioned whether those documents had specific set of standards, or were the standards those established by VDOT, to which the County Administrator advised were VDOT standards and specifications.

Chairman Arrington asked the County Administrator to verify if the county's match is for 'in kind services.'

The County Administrator explained that during the prior phases of the project, a portion of the funding was coming from CBDG funding and there was a bit more leeway in using 'in kind services', however, there was difficulty in accounting for these types of services and assign a value. In closing, she stated the transportation enhancement program stems more on the financial part of the project.

Supervisor Elliott asked if a VDOT inspection was required during the previous portion of the project or if this is something new, to which the

County Administrator advised that when the Main Street Project began, there was a set of plans drawn by an engineering plan; the firm was providing a representative to review the project but problems existed during the process which caused the plans to be out of sync and didn't match current VDOT standards, the individual providing the services wasn't providing exceptional service, and VDOT had to become involved on a frequent bases. Also, the VDOT representatives that were providing assistance have since retired –due to the reorganization of VDOT, there is no longer the option to gain further assistance in the above referenced area. In closing, she stated in order for the county to receive funding without having to update the plan or use any prior professional consultants, the plan must be a 'no plans project' which wouldn't require the county to hire a main consultant and everything will include sidewalks and gutters conforming to VDOT standards.

The County Administrator further advised the county has been given a window of time in which to advertise the project (i.e. within thirty [30] days); if advertisement isn't initiated fairly quickly, the county could lose the funding for the project. Also, after bids are received, there is a portion of time before federal authorization is attained in order to award to a particular bidder.

Supervisor Butler questioned the total amount that will be awarded, to which the County Administrator advised was \$325,000.00 and the amount of \$85,000.00 will be required above the grant amount.

The County Administrator advised that she will pull her paperwork on the project to provide exact details and funding amounts provided.

Supervisor Elliott questioned what will happen if the work can't be done with the amount of funding that is available, to which the County Administrator advised the current plan includes doing whatever work that can be accomplished based on the available funds; she also explained the process that will be undertaken and the areas of concentration.

Supervisor Dean stated the engineer from the firm who originally handled the project didn't have all documents in order and didn't do a good job of reporting required documentation the project. As a result, the County Administrator and Finance Director worked very hard to compile information from the records that were kept in the Finance Department. In closing, he stated he is very concerned that the county doesn't get into a situation where the county will be burdened with unnecessary cost.

Supervisor Dean advised that he feels the Board can move forward with advertising the project, but he doesn't feel comfortable with county making any commitment until the town advises their views.

The County Administrator advised that there is a window of thirty (30) days and the county has the right to cancel and/or accept, reject any or all bids received.

Supervisor Allen asked if VDOT had a working list of individuals, to which the County Administrator advised that she has the names of three (3) individuals from VDOT who are fully certified and are well versed in dealing with these types of projects.

Supervisor Elliott questioned whether any consideration was given to placing conduits at some of the buildings along Main Street, as he didn't want to see the sidewalks, curbs and gutters repaired and then later destroyed to accommodate the placement of conduits.

Supervisor Dean advised that conduits can't be included as this item isn't covered as a part of the grant funding.

The County Administrator advised there are drainage issues along Main Street and there can be no co-mingling of any work, as the contractor can only use the enhancement funds for work that pertains to sidewalks, curbs and gutters.

Supervisor Elliott suggested the town take a look at the possibility of using conduits.

Supervisor Butler questioned where the drainage problems exist, to which it was denoted at the south end of Main Street (Miss Patty's Antiques). In closing, he advised that he will meet with the Town Council to receive their input.

After discussion, it was the consensus of the Board to move forward with advertising the inspector position contingent upon the county proceeding with the Main Street Project.

d. **Capital Improvement Plan:**

Supervisor Dean stated that he'd like to see the Board adopt the CIP with the realization that adoption of the plan doesn't mean that any money will be attached, as no funding commitment can be made until the budget process is underway. In closing, he feels the county has received a valid tool that is well put together.

Supervisor Butler questioned the recent meeting that was held on the CIP, to which Supervisor Dean advised was a public hearing to receive public input but no action was taken.

Supervisor Butler also advised there was a suggestion to add Hoover Ridge to the plan.

Supervisor Dean stated he feels the initial phase of the CIP should be adopted and amendments can be incorporated within the coming years.

Supervisor Butler stated the Criglersville Elementary School has been added with a 'zero' cost and wondered whether this can be modified in the coming months.

After discussion, it was the consensus of the Board to include the aforementioned item on the February Regular Meeting Agenda.

e. **Hoover Ridge Maintenance Plan:**

Supervisor Butler asked about the plan for Hoover Ridge; he has observed fertilizer in the barn and it's getting hard. Additionally, he questioned how much of the appropriated \$12,000.00 for the site has been spent.

The County Administrator advised that fertilizer and seed was purchased with all the aforementioned funds.

Supervisor Butler questioned whether there is a cost associated with the pear trees and whether maintenance staff will be responsible for their upkeep.

The County Administrator advised that the Board will need to determine an allocation of time; she also advised that infield mix is being put down and Weaver Works, Inc. is donating their equipment for this process.

Supervisor Butler questioned whether the infield mix is being purchased by the county, to which the County Administrator advised is being funded by the baseball and softball groups that utilize the fields.

Supervisor Elliott also advised that the mixture will consist of sand and soil only (no stone) and will be placed on the infield areas only.

f. **EMS Grant:**

Lewis Jenkins, Director of Emergency Medical Services, was present and advised that a grant is available for use to purchase ADD's. Currently, he is investigating funding to allow possible reimbursement, and also advised there will be ongoing costs throughout the year for replacement batteries and pads, and believes the procurement cost will be about \$10,000.00. In closing, he advised that he will bring this issue before the Board during the February Regular Meeting.

Supervisor Butler asked if the county will have to spend \$10,000.00 in order to qualify for the grant funding or \$20,000.00, and who handles maintenance of this equipment.

Mr. Jenkins advised that he is looking into the specifics now and EMS staff take care of routine maintenance and upkeep of these devices.

The Board thanked Mr. Jenkins for moving forward on the aforementioned issue.

Chairman Arrington provided a list of items that he feels the Board will need to review and discuss these items.

Chairman Arrington asked if there was anyone present who desired to provide public input.

Bill Campbell was present and advised that the County Attorney was to research and provide information on the guidelines that pertain to two (2) or more supervisors being in the same place at once and put this concern to rest.

The County Attorney stated in summary, the code advised that two (2) or more members can be together as long as there is no discussion of any county business. In closing, he advised that the Supervisor's Manual also addresses this issue in the Freedom of Information section under the category of "Assembling."

Bill Harlow of Lost Valley was present and asked if anyone has researched the possibility of doing a barter contract which doesn't involve any funds being utilized up front; he also advised that this type of contract has options involved with no money guaranteed, and will include the purchase and placement of conduits.

6. Adjournment:

With no further discussion or action being required by the Board, on motion of Supervisor Allen, seconded by Supervisor Butler, 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

Lisa A. Robertson, County Administrator
And Clerk to the Board

Date Adopted by the Board: _____
