

MEETING #41 – August 27

At a Workshop Meeting of the Madison County Board of Supervisors on August 27, 2012 at 2:00 p.m. in the Thrift Road Complex located at 302 Thrift Road:

PRESENT: J. Dave Allen, Chairman
Doris G. Lackey, Vice-Chair
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.

2. Pledge of Allegiance & Moment of Silence

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

Chairman Allen advised the Board will need to conduct interviews for boards/commissions and can elect to adjourn the workshop session and then reconvene in order to take action by continuing the workshop session after 4:00 p.m. – this can be added as item “6-a.”

Supervisor Lackey advised that she would like the Board to discuss ‘conflict resolution assistance’ and would like this to be added as “item 4-n.”

After discussion, on motion of Supervisor Lackey, seconded by Supervisor Weakley, today’s Agenda is adopted as amended, with the following vote recorded:

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



3. Agenda Items:

Chairman Allen advised there will be no financial reports for this month due to the Finance Director assisting the County Administrator with other duties; these will be followed up at a later date.

a. Financial Review:

- i. Certificate of Claims [General Operations] - None
- ii. Certificate of Claims [Capital Improvement (None)]
- iii. Supplemental Requests [None]
- iv. Certificate of Claims [TOT Fund None]

b. Minutes #37 through #39

Chairman Allen asked if there were any questions pertaining to the above sets of minutes.

Supervisor Butler asked for the above referenced minutes to be resent to his email address.

c. Building Code Appeals Board (Advertisement)

The County Administrator advised that Wes Smith, Building Official, has requested an advertisement be published to attain an alternate member to serve on the Building Code Appeals Board, as needed. In closing, he advised the Board meets once annually.

The County Attorney asked if the State Code allows for an alternate member to be appointed, to which the Administrator provided the attached code specifications.

After discussion, it was the consensus of the Board to advertise the vacancy for one (1) week and schedule interviews for potential candidates.

d. Social Services Building Lease:

The County Administrator advised that a discussion was held regarding money paid for the space provided for the Department of Social Services; the State utilizes a cost allocation plan to determine what size space is needed and whether a locality has something available. Also, the County purchased the old bank building for \$220,000.00 (by way of an RFP) to be used and a lease was developed and signed to include utilities. In closing, the Department of Social Services is responsible for upkeep of the space (i.e. painting, cleaning); an audit has been done by the State and an investigation is being done to determine an alternative payment agreement, as the County can elect to



terminate the lease and implement a new memorandum of understanding if so desired. Currently, the monthly fee is \$3,300.00 and the state would like to decrease the amount to \$1,500.00, as it is deemed the existing lease violates some of the State's guidelines and doesn't justify the original amount currently being paid to the County.

Concerns verbalized by the Board regarded whether a waiver from the government can be made until the existing lease expires and if any federal regulations were implemented after the least was approved.

The County Attorney indicated there is a valid lease in place; he provided a brief overview of the past purchase and that there are no grounds to break the existing lease; however, re-negotiations can be implemented for a new lease after the designated years have passed. In closing, he commented on the forty (40) year amortization schedule and that the Department of Social Services did participate in (during the

RFP process) when the building was purchased by the County for them to use; however, the lease can only be terminated if both parties agree.

e. Request for Speed Study on Thoroughfare Road:

The County Administrator advised that he met with a citizen who requested a speed study be conducted on Thoroughfare Road, as there is no speed limit sign currently posted. In closing, a copy of a draft letter was provided for the Board to review and it was denoted that VDOT would implement a speed study at no cost to the County.

Supervisor Elliott advised that another citizen has asked him about a speed study to be conducted at another location within the County.

In closing, Chairman Allen suggested the County Administrator contact Mr. Roy Tate to determine criteria needed to assist with additional requests of this nature.

f. Health Department (Guidelines for food concessions)

The County Administrator advised that a letter has been submitted to the Park & Recreation Authority from the Virginia Department of Health regarding guidelines that will be implemented for food concessions at Hoover Ridge.

Dwayne Dixon, Sanitarian, was present along with Gary Switzer, to provide an overview of the guidelines that will be imposed effective October 1, 2012. In closing, if the guidelines aren't followed, participants will be cited unless they are exempted (a listing of entities exempted was provided) or the County implements an Ordinance – these guidelines will include all food booths, concessions, fairs and festivals.

Mr. Switzer advised that Loudon County, Virginia uses their own employees to enforce the guidelines in their locality.



The County Attorney advised that he and the County Administrator will review this issue by asking what other localities have in place. In closing, he suggested that Mr. Dixon be charged with enforcement in Madison County as the County does contribute some funding towards the local Madison Health Department.

Supervisor Elliott questioned why these changes were being implemented at this time; the County Administrator also asked if the designated date can be pushed back a bit in order to allow the County time to address this concern.

Mr. Switzer advised there have been complaints from other localities because these guidelines haven't been enforced in the past; however, there will be liabilities in the event an outbreak should occur as a result of food sold at a fair or other concession.

After discussion, it was the consensus of the Board to request the County Administrator to ask for an extension based on the information received today, and to also contact Delegate Ed Scott about this issue.

g. CIP Finance Update:

The County Administrator advised that he is working on preliminary financing for the joint CIP; he has talked with representatives from VACo, VML and three (3) local banks, and will issue a formal RFP to attain financing options, and feels that a commercial paper loan seems to be the most appropriate funding option, which is what was implemented to fund the courthouse project. Additionally, he advised the County can refinance the courthouse project (as explained in options "A" through "F") and bundle payments and closing costs.

h. School Appropriation Request:

The County Administrator advised the school system has presented an appropriation request totaling \$26,067.36 (rebate money from FY2012) to hire a Para-professional for the classroom to reduce the teacher-student ratio to "three to one." In closing, he asked whether the Board would like Dr. Eberhardt to attend the next meeting to provide additional input, to which the Board agreed.

i. VACo Conference:

The County Administrator advised that the VACo conference will be held shortly at a cost of \$225.00 to attend and \$225.00 per night for lodging – the session will highlight proposed legislative program information.

Supervisor Butler advised that a monthly report is received from VACo; therefore, he wasn't in favor of spending money for the above referenced purpose.

Supervisor Lackey advised that she would also like to attend.



After discussion, Chairman Allen advised that the County Administrator has the authority to spend up to \$2,000.00 for two (2) people to attend the conference.

j. Land Use:

The County Administrator provided highlights on the existing land use policy, the reassessment and the change rate as denoted in documentation provided from the Commissioner of the Revenue. In closing, the following rate changes were denoted:

- a) Change the agriculture rate to \$525.00 per acre;
- b) Change the forest rate to \$300.00 per acre;
- c) Change the horticulture rate to \$525.00 per acre;

Supervisor Lackey questioned whether there would be any changes in the qualifications for anyone to participate in the program.

The County Administrator advised that he met with the Building Official and the Commissioner of the Revenue to audit some of the properties in the land use program; discussions revolved around checking the County's GIS system and property cards for information.

k. Business License fee (revisit/determine whether to implement):

Chairman Allen asked if the Board would like to move forward with implementing the Business License Fee. In closing, he indicated the proposed Ordinance doesn't include reciprocity.

Supervisor Lackey advised that several local contractors have expressed a desire for this fee to be implemented in Madison County.

The County Attorney advised the proposed Ordinance was difficult to interpret as there were many exemptions. In closing, he advised that he will re-send the document for the Board's review.

After discussion, it was the consensus of the Board to revisit this issue at the September Workshop Session.

I. Project Updates (County Administrator):

i. Criglersville Elementary School:

The County Administrator advised there have been no responses from any realtors on the listing.



ii. Transfer Station:

The County Administrator has met and discussed the contrast with representatives from Waste Management, Inc.; the work on the concrete pad at the landfill been completed.

Supervisor Weakley verbalized concerns presented to him regarding the steps located at the platform in front of the trailer at the landfill.

The County Administrator advised the steps can be extended onto a larger platform.

iii. Waverly Yowell Elementary Schools (ball field):

The County Administrator advised a citizen has verbalized concerns about the ball fields behind the Waverly Yowell Elementary School and suggested steps be installed.

Chairman Allen advised the above referenced issue has been in place for many years, and will need to be referred to the Madison County School Board.

iv. Park & Recreation Authority:

The County Administrator advised that information is being gathered by the authority to implement some structure for them to run Hoover Ridge, youth sports and budget processing.

After discussion, it was the consensus of the Board to discuss this issue at the September workshop session.

Supervisor Butler asked whether a lease agreement for equipment (i.e. usage/rental) will be implemented.

v. Courthouse Project:

The County Administrator advised that one (1) contractor has completed his punch list for the project.

Closed Session:

Chairman Allen advised the Board will need to enter into a closed session to discuss issues pertaining to personnel.



a. Closed Meeting

On motion of Supervisor Butler, seconded by Supervisor Weakley, the Board convened in closed session, pursuant to Virginia Code Section 2.2-3711(A)(1) pertaining to personnel matters involving the receipt of a personal letter pertaining to personnel, with the following vote recorded:

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

b. Return to Open Meeting

On motion of Supervisor Butler, seconded by Supervisor Lackey, the Board voted to reconvene in open session, with the following vote recorded:

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

c. Motion to Certify Compliance

On motion of Supervisor Butler, seconded by Supervisor Lackey, the Board voted to individually certify by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Section 2.2-3711(A)(7), and only matters that were identified in the motion to convene a closed session, were heard, discussed or considered in the closed 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

No action was taken as a result of closed session.

4. Information/Correspondence (if any):

Supervisor Weakley advised that Constitution Day is September 17, 2012, and suggested the Board formulate a proclamation, to which Supervisor Butler verbalized agreement



since Madison County is names for former President James Madison. In closing, it was questioned whether action can be taken today.

After discussion, it was suggested this issue be discussed at the joint meeting on Wednesday, September 5, 2012, and accompanied by a vote.

5. Adjournment:

With no further action being required, on motion of Supervisor Lackey, 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: November 15, 2012

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

