

## MEETING #4 January 30

At a Workshop Meeting of the Madison Board of Supervisors on January 30, 2012 at 2:00 p.m. at the Madison County Firehouse located at 1223 N. Main Street:

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  
Teresa Miller, Finance Director  
Jacqueline S. Frye, Secretary/Acting Clerk

### **Agenda:**

#### **1. Call to Order:**

Chairman Allen called the meeting to order.

#### **2. Pledge of Allegiance & Moment of Silence:**

The Board then proceeded with the Pledge of Allegiance and a Moment of Silence.

Chairman Allen advised that all members are present and a Quorum was established.

#### **3. Adoption of Agenda (as presented):**

Chairman Allen asked the Madison County Board of Supervisors if there were any deletions or corrections to the Agenda.

Supervisor Lackey asked if the representatives from VML/VACo could be moved up on today's Agenda, as they have traveled a great distance to get here.

Supervisor Elliott advised that he will have to leave today's session at 4:15 p.m. for a prior commitment that was made a month ago.

Chairman Allen advised that he felt there might be a conflict, as the Board generally didn't make a motion in the past to adopt the Agenda, but did to adjourn; therefore, the Board will not take action on any issues other than procedural ones.

Supervisor Lackey motioned to amend today's Agenda by moving VACo upward on the Agenda from letter "g."



\*Motion dies for the lack of a second\*

Supervisor Butler motioned that citizen comment be added to today's Agenda in lieu of letter "h" (Office Location [Building Official/Zoning]), as nothing was said to him about discussion of office locations.

\*Motion dies for the lack of a second\*

Chairman Allen advised that the issue pertaining to public comment was discussed during the 2012 Organizational Meeting and wasn't adopted as a part of the bylaws. In closing, he advised that the topic of "Office Location [Building Official/Zoning]" was added to the Agenda as a result of a comment made by Mr. Graves at the last Regular Meeting; therefore, it was advised during that session that this particular topic would be discussed at the January Workshop Session.

After discussion, on motion of Supervisor Weakley, seconded by Supervisor Lackey, the Board adopted today's Agenda as presented in its original content:

Supervisor Elliott asked the County Attorney is the Board amending the rules whereas motions are being made.

The County Attorney advised the motions are being made in order to move forward with today's order of business only.

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:**

#### **a) Times & Locations for Workshops/Budget Workshops:**

Chairman Allen advised that dates and locations have been determined for all future workshop sessions, although a time hasn't been denoted. In the past, the Board held the budget workshops during the late morning until the completion of business.

After discussion, a suggestion was made to hold the budget workshop sessions from 9:00 a.m. to 4:00 p.m.



Supervisor Lackey advised there is a planning district meeting on February 22, 2012 that she would like to attend at 1:00 p.m.

Chairman Allen advised there will be times when all members may not be able to attend every session based on prior commitments.

Chairman Allen reminded the Board members that all regular workshop sessions on the last Monday of each month will be held at the Fire hall and the budget workshop sessions will be held at the Madison Rescue Squad Building with the exception of the session scheduled for Thursday, February 23, 2012, which will be held in the auditorium of the Administration Building.

**b) General Operations**

**i. Claims & Capital Improvement (November 2011 – FY2012)**

**ii. Claims (December 2011 – FY2012)**

**iii. Supplemental Appropriations (FY2012 – January 2012)**

Chairman Allen advised the Board will need to discuss the General Operations Claims & Capital Improvement (November/December 2011 – FY2012), Capital Improvement Claims (November 2011 – FY2012), and Supplemental Appropriations (FY2012 – January 2012)

In closing, all members were given copies of these reports by Ms. Miller during the past month.

Supervisor Elliott questioned an expenditure totaling \$5,991.00 that was spent on fertilizer for Hoover Ridge and no one advised this money was going to be spent; therefore, he feels this is something the Board will need to assess once the budget process is underway and assess how much funding is being allocated for fertilizer.

Chairman Allen advised that he had spoken with Mr. Dean, former Supervisor, about this issue and was also advised that facilities personnel utilized the bagged fertilizer that the County had on hand and supplemented with a purchase of fertilizer from the Farmer's Co-op to carry on with the fall spreading. In closing, he advised that he thought former Supervisor Dean has relayed this information onto Supervisor Elliott.

Chairman Allen stated the Board decided during the 2012 Organization Meeting that the aforementioned items will be discussed at the Workshop Session and placed on the Consent Agenda for action at the next regular meeting, which will be February 14, 2012.

**c. Minutes:**

Chairman Allen advised the Board has received Minutes #43, #44, #45, #46 and #47, and all are from the year 2011; therefore, action will be taken at the February Regular



Meeting on the Consent Agenda since only three (3) of the current members can vote on the aforementioned sets of minutes.

**d. Citizen Inquiry (S. Wray):**

Chairman Allen asked if Mr. S. Wray was present to discuss a concern regarding a setback issue that. In closing, it was denoted that Mr. Wray wasn't present, but that the Board would return to this issue in the event Mr. Wray arrived later during today's session.

**e. County Reassessment:**

Chairman Allen advised the County has received three (3) proposals for the reassessment process to be implemented during the 2012 calendar year. Additionally, he advised there is quite a bit of disparity in the cost with the lowest bid being \$107,000.00 to the highest being \$151,000.00

The County Attorney advised that he did review the proposals that were submitted and the qualifications of all three (3) bidders are about the same, as well as being in compliance with the RFP. In closing, he advised that one (1) firm has advised that they'd like to begin on February 1, 2012 (the lowest bidder).

The County Attorney asked if the Commissioner has reviewed the proposals.

Gale Harris, Commissioner of the Revenue, was present and advised that she was aware of the three (3) companies that would provide a proposal, but she hasn't reviewed them just yet.

Supervisor Butler advised that in reviewing the proposals, he saw some language about sales ratios (i.e. current sales in the County), and noted the largest sale in the locality was the winery that was recently sold, and how this might be a factor. Additional concerns verbalized regarded the fact that one proposal indicated there will be no interior examinations, but exterior only, and the fact that a property card will be produced that can be added to the computer system. In closing, he questioned whether the older assessment records can be added to the computer system.

The Commissioner advised that records from 2001 to the present are on the system; however, records ranging from 1949 to 2000 are not.

Supervisor Lackey advised the proposal from Blue Ridge Appraisers indicated they will supply a property card and an electronic copy, but the other (2) appraisers didn't mention that they would provide an electronic copy. Furthermore, she questioned whether the Board will interview each company or will a selection be made based solely on the proposals that have been submitted, and also advised that language contained in



one proposal mentioned about providing a 'professional assessor' and whether this was something the County was to be responsible for handling this; if so, perhaps an amendment could be negotiated during the interview process. In closing, she doesn't feel that any of the responding appraisers have covered all the criteria the County asked for in the RFP; however, she feels this can all be clarified by scheduling an interview with each during the upcoming meeting and amend the proposals that have been presented. However, if this can't be accomplished on February 1<sup>st</sup>, the next meeting will not be until February 14<sup>th</sup> and that will affect the timeline of the process.

Chairman Allen advised that the lowest bidder is the company that handled the last reassessment for Madison County. Additionally, he questioned whether the County wanted to move forward with a reassessment during this calendar year, as no definite decision has been made to commit to this endeavor.

Supervisor Elliott questioned how the reassessment will be an asset to the citizens and what affect moving forward will have on the existing composite index.

Chairman Allen advised that funding will be brought into the County as a result of the change in the composite index; although there is no guarantee on this factor.

Supervisor Elliott also questioned that what will be done about liquidated damages.

The County Attorney advised that the RFP is mocked by the RFP for Orange County.

The County Attorney advised there will be a five percent (5%) retainage fee only, as there wasn't anything denoted in the RFP for liquidated damages.

Chairman Allen advised if the Board desires to move forward with the reassessment, things need to get going quickly.

Supervisor Lackey questioned whether one of the bidders ignored the RFP; however, the County Attorney advised that all three (3) companies be invited; however, it's up to them whether or not they appear.

Chairman Allen advised that two (2) of the companies that provided proposals have done very satisfactory work for the County in the past.

Chairman Allen asked for the consensus of the Board to provide a copy of the proposals and the RFP to Mr. Smith and Ms. Harris for review and advisement and elect to invite representatives from each firm to the Joint Meeting on Wednesday, February 1, 2012, and decide whether to pursue with the reassessment process, as time is of the essence. In closing, he advised if the County is going to move forward with the reassessment process, a commitment will need to be made in a very timely manner and this issue will need to be made a priority item if it's going to be completed during this year.



Supervisor Butler questioned whether a confidential agreement needs to be put into place before the Contract Review Committee can review today's proposals since this information hasn't been provided to the general public.

Chairman Allen advised that three (3) of the members had very high federal security clearances in the past; therefore, he feels that speaks very highly of their level of trust.

The County Attorney advised that the proposals are competitive bid and must be kept confidential, to which Mr. Smith advised, would certainly be taken into account.

**f. Planning Commission:**

*i. Meeting Time for Joint Meeting:*

*ii. Number of Members (presently 11 + Board representative);*

*\*Vacancies (Lackey & Parker)*

*\*\*Term Expirations (January 31, 2012) –[Goodall, Jackson & McGhee]*

Chairman Allen advised that at a recent workshop session in January, the Commission discussed the number of members they thought was necessary in order for them to operate as they have. Also, Board members of past and present have commented to the effect that perhaps the size of the Commission needs to be reduced. After discussion, the Commission unanimously voted that the size remain at its current level of eleven (11) members plus one (1) Board representative. In closing, the size was incorporated in 1960 and they feel the size has served the County well.

Chairman Allen advised there are currently two (2) vacancies on the Commission (i.e. Lackey & Parker) and there are three (3) members eligible for reappointment (i.e. Goodall, Jackson, McGhee) and wish to be considered for reappointed; therefore, he questioned the Board's desire regarding the number of members and the composition of the Commission.

The County Attorney mentioned if the Madison County Board of Supervisors decides to change the size of the Commission, an Ordinance must be drafted and acted upon within the Commission, and also schedule a Public Hearing in order to reform the Commission.

Supervisor Butler advised this issue was discussed during the past and it was thought that nine (9) members plus one (1) Board representative would be sufficient. In closing, he advised that he has no problem with reappointing the three (3) incumbents whose terms will expire shortly.



Chairman Allen advised that the Madison County Board of Supervisors used to advertise vacancies, but returned to the act of not advertising vacancies if an incumbent wished to be reappointed.

Supervisor Weakley questioned the meeting times denoted.

Chairman Allen advised when the Madison County Board of Supervisors changed the evening session for the Regular Meetings from 7:30 p.m. to 7:00 p.m., the Madison County Planning Commission changed their meeting from 7:30 p.m. to 7:00 p.m. as well; therefore, the Madison County Board of Supervisors' still has the time set for the Joint Meeting at 7:30 p.m., which will need to be discussed today as well.

Supervisor Elliott questioned if the Commission's bylaws would need to be amended if there was a change in the size of the membership.

The County Attorney advised that the Virginia Code advised the Madison County Board of Supervisors is the governing authority and if change is implemented, the Commission will have to amend their bylaws. In closing, he stated the Madison County Board of Supervisors appoints the members to the Commission and also have the authority to determine the number of members.

Chairman Allen questioned whether the state code indicates a minimum/maximum number for the Commission.

The County Attorney advised that the usual size of Commissions range from five (5) to fifteen (15) members. Currently, the members of the Commission feel their group provides a good opportunity for citizens to participate in local government and offers a diversity of opinions.

Supervisor Weakley questioned whether there have been problems in the past finding interested applicants; he also feels that trying to make it with only five (5) members would be rather vague.

Chairman Allen advised that interest has fluctuated over the years. In closing, he questioned if it was the will of the Madison County Board of Supervisors to reduce the size of the Commission; however, he advised that he isn't too keen to 'fix something that's not broken.'

Supervisor Lackey suggested the size of the Commission remain as it is for the year and fill the upcoming two (2) vacancies and reappoint the three (3) incumbents who desire to be reappointed.

Chairman Allen advised that the topic will be placed on the Agenda for the Joint Meeting scheduled for Wednesday, February 1, 2012 for action.



Chairman Allen asked for the Board's input regarding the change in the meeting time. After discussion, it was the consensus of the Board to proceed with action on Wednesday, February 1, 2012.

**g. CIP Financing:**

Supervisor Lackey invited Mr. Jim Smith and the representatives from VACo and Robinson, Farmer, Cox Associates to the table.

**i. VACO**

Bob Lauterberg and Steve Mulroy of VACo were present to provide an overview of funding options available to fund the CIP plan for Madison County. Handouts were provided that focused on:

1. Financial Services Programs
2. No closing cost financing options
3. Pooled OPE trust
4. Fixed rate loan program

Mr. Lauterberg also advised that Lisa Robertson, former County Administrator, had made an application for the County at the time the new telecommunications equipment was purchased during the past year.

Steve Mulroy also provided an overview of preliminary financing terms for Madison County to include:

1. Madison County Debt Service after 2012 Financing;
2. Sizing Debt Service Schedule (fixed rate – 10 years)
3. Sizing Debt Service Schedule (fixed rate – 15 years)
4. Commercial paper program
5. Public/Private Partnership

Supervisor Weakley asked about the formula for debt to headroom.

Robert Huff of Robinson, Farmer, Cox Associates, was present and advised that the County's financial situation is well stacked and in line to negotiate.

Supervisor advised that before any design/build can be implemented, projects will need to be selected.

Supervisor Elliott questioned whether it would be possible for the County to start projects without a lot of 'up front' money. In closing, he questioned if the County decides to refinance the Courthouse for ten (10) years, how much interest will be paid in those ten (10) years; or would it be more viable for the County to pay the project off.



Mr. Lauterberg advised that a loan can be closed without any interest payments being due for a one (1) year period or longer; however, design/build companies would only design their own cost program. In closing, he advised that VML/VACo can implement financing either way, and that without refinancing the courthouse, the loan amount will be about \$783,000.00 (including all the existing debt service), and an additional \$200,000.00 if the courthouse is refinanced for ten (10) years.

Mr. Lauterberg advised that after last year's presentation, the County's debt was assessed with a percentage of 1.9% assessed value. Additionally, the state's constitution has a cap for cities (excluding counties) that is established at ten percent 10% of assessed value. The County's debt service was also assessed at 8.2%, which should never be more than fifteen percent (15%) of the localities' general fund balance. In closing, he advised that with the proposed new loan, the percentage will be just below 8.2% since the annual debt service will be a bit smaller.

The Board thanked the representatives for attending today's session.

Supervisor Lackey questioned whether the application done by the former County Administrator was in limbo.

Mr. Lauterberg advised that although VML/VACo likes to have the most recent financial data, he feels things can move forward since the County is already involved in the commercial paper program. In closing, he suggested the Board review the CIP and determine exactly which projects will be initiated and advise so a plan can be established to meet the drawdown. Additionally, he reminded the Board to keep the amount of debt at a minimum unless absolutely necessary.

Mr. Lauterberg advised the turnaround time on financing can be within ninety-six (96 days) when working with an ESCO, which VML/VACo has worked with in the past.

Chairman Allen asked if the Board would like to put this on a future Agenda for further discussion. Also, he feels if the County decides to proceed, a determination needs to be made as to financing and how to approach the actual project(s) once they are identified. In closing, there are three (3) possibilities on the table (i.e. energy savings, design/bid/build; traditional bid/build), and the issue of 'financing and project' can't be separated.

Supervisor Lackey commented on documents forwarded by Mr. Smith regarding performance contracting that contained a list of energy savings a contractor assesses and she questioned why the County couldn't put those types of savings requirements into an RFP for a design/bid/build or traditional contract procedure and why only ESCO's are capable of implementing energy savings activities.



Chairman Allen advised that the ESCO will make a guarantee, which will not be so with traditional contracting procedures.

Supervisor Elliott advised that ESCO's receive their savings on the 'back end' (i.e. from the savings), whereas others receive their money up front.

Supervisor Weakley advised that based on the information he has received, there will be savings in both directions with an ESCO, whereas if the County includes the information in an RFP, the savings will only be singular.

Chairman Allen explained some specifics denoted from the recent presentation on energy savings that estimated the school's energy use to be about \$500,000.00, and the fact that an ESCO can guarantee a savings of about \$1,000,000.00 to \$1,500,000.00 over a ten (10) year period, with a total

Supervisor Weakley questioned if the discussion would be for finance options or, bid/design scenarios.

Chairman Allen advised the ESCO figures the savings can range from \$1,000,000.00 to \$1,500,000.00 over a ten (10) year period.

Supervisor Elliott advised that the proposed savings is based on upkeep and maintenance.

Supervisor Lackey stated that someone will be responsible to oversee that maintenance is consistent, as if this isn't done, the savings will not be evident.

Supervisor Elliott advised that the County will need to borrow money to get the project started, as the locality doesn't have the funding to pay up front for engineers and architects (i.e. design/build).

Supervisor Lackey advised that Dr. Eberhardt provided a listing of school items that need to be taken care of (i.e. HVAC, roofing, lighting), which are health/safety concerns.

Chairman Allen advised there is health/safety issues involved, but there is also the practicality of tackling many things that can be addressed when equipment is being torn out. Additionally, he feels the aforementioned items are a 'wish list' and there is a lot of discussion that will be needed with the primary focus based on whether or not to move forward; after that time, there will need to be some identification of projects, financing and a timeline based on whether the projects are design/bid/build or traditional.



**h. Office Location (Building Official/Zoning):**

Chairman Allen advised that Jimmy Graves has complained at a recent about the amount of time involved in getting zoning business handled and there is also an issue of an extra 1,000 copies being made because of the additional copier.

Betty Grayson, Zoning Administrator, was present and advised her office has needed to attain ninety-three (93) items of information from the Commissioner's Office since relocating to the Old ABC Store (not vehicle trips, but instances where documentation needed to be viewed for zoning applications/requests). In closing, she advised that her department has tried to handle as many requests as possible in one (1) to two (2) trips daily; however, they have received several citizen complaints within the past three (3) weeks.

Chairman Allen advised that Bud Kreh also complained about the offices being separated.

Supervisor Elliott stated the County paid Crabtree, Rohrbaugh, Inc. over \$30,000.00 to evaluate all of the County office space and prepare a design where space could be best utilized. Also, a plan was devised as to where each department would be located in order to attain the most efficiency, but was only phase I of the move – additionally relocations and work hasn't yet been accomplished as denoted. Furthermore, he feels if the County isn't going to utilize what was paid for and recommended, then the County has to make the rest of the move in order to be more efficient. In closing, he feels the County hasn't completed the relocations as recommended.

Supervisor Butler stated that in separating the two (2) offices, it was thought that land records would be computerized in order to allow both offices and citizens to have access to County information when needed. Additionally, this issue wasn't discussed, it was never implemented and additional funding wasn't provided in order to carry out this plan. In closing, he questioned whether moving forward now, especially since there may be a reassessment, could save travel time between the offices and provide better access to these records.

Supervisor Elliott feels the only way the problem can be solved is to physically scan all the land records and computerize them in the system. In closing, a study was performed, which denoted the entire process as it was supposed to be done that included three (3) options.

Supervisor Weakley advised that he discussed this issue with Supervisor Elliott and added that in reviewing the documents, there were several options provided. Also, he questioned whether scanning the documents will eliminate the trips back and forth.



Ms. Grayson advised that in her opinion, all the older documents will need to be scanned along with plats and land records; also, each tax map number may need to be a separate file and updates will need to be incorporated regularly.

Supervisor Weakley advised that in reviewing the document, he didn't see how these particular offices were identified for relocation. In closing, he questioned whether documents could be scanned during the time they are initially being reviewed.

Supervisor Butler advised that it was the intention to have all County finance procedures in one building. In closing, the County has various records that need to be automated and this issue hasn't even been considered.

Chairman Allen feels the optimum solution would be to have a County complex where everyone can be located. In closing, the steps that have brought things to this point were correct, as there were several proposals and a determination was made; however, he questioned whether the County should continue to move forward if the process isn't working or discontinue. Additionally, if scanning the records improves the utilization of records, then the County needs to commit to getting someone on board to scan the records for computerization.

Supervisor Butler was advised by a County employee that scanning was an option they'd be interested in learning on their down time; however, the process will take a very long time as there are old records dating back to 1948.

Chairman Allen advised it will cost \$3,600.00 annually to make vamanet available to the citizens, which may need to be discussed. Additionally, he suggested the Board remember it's not a matter of doing this and walking away, but records must be kept current.

Supervisor Butler advised that one of the reassessment proposals refers to vamanet and the fact that this program will be available during the reassessment period.

Supervisor Lackey questioned whether utilizing vamanet will allow the citizens to review their tax bills.

Gale Harris, Commission advised there are about 9,600 parcels on record.

Supervisor Lackey suggested if the County is planning to computerize the land records, then professionals should be hired to handle this delicate task and establish a database so citizens can access the information.

Supervisor Weakley advised that getting the scanning practice in work may be a viable option.



Chairman Allen questioned whether there was anyone on board who could set up a database by tax map numbers.

Robert Finks, Director of Emergency Communications, was present and advised there is no one available to handle the aforementioned task.

The County Attorney advised his legal practice attempted to scan all the older real estate records; however, it was deemed to be very expensive and time consuming to scan the old records and his staff has opted to scan records from this point forward, which has made things much more efficient. In closing, he advised that his staff had difficulty scanning the older records in to make them economically worthwhile, and was skeptical that the County would be able to scan the older records and make access efficient, but scanning from this point forward is an option.

Mr. Finks stated that he is unsure if vamanet will make the process easier, but if utilized, there is a history page on the program that may make things a bit easier to handle the older records.

Chairman Allen questioned if the above process was utilized, would this tie the County to Blue Ridge Appraisers for future reassessments.

Supervisor Butler suggested the office not be moved based on less than ten (10) complaints being received thus far. In closing, he feels that as records are reviewed by Zoning & Building, it may be best to start scanning them from this point forward. Furthermore, he suggested the Board continue utilizing the office space recommendations presented by Crabtree, Rohrbaugh, Inc. in order to continue establishing efficiency.

Chairman Allen questioned whether the Board wanted to add to a future Agenda about scanning the records.

Supervisor Weakley was in favor of adding this topic.

Supervisor Butler agreed with the County Attorney, in that scanning from this point forward would be an asset, and he would be willing to discuss this option further as a serious proposal.

Supervisor Elliott questioned whether the records will continue to be left on paper and never be brought up to date.

Supervisor Butler advised that the Courthouse still has very old records; however, the newer records are readily accessible and scanning the older documents can be done gradually as employees have time to do so.



Mr. Finks questioned how the older records will be scanned if there isn't some type of a system already in place to store the documents and make them easily accessible.

Chairman Allen advised that the Board has run over the two (2) hours allocated for this session and Supervisor Elliott has to leave at 4:15 p.m. In closing, he asked if it was the consensus of the Board to continue the remaining items on today's Agenda at the meeting scheduled for Wednesday, February 1, 2012.

Supervisor Elliott also suggested the Board continue discussions as to whether to move forward with scanning the older land records, as the complaints from the citizens will not go away unless something is done.

Chairman Allen asked if there could be an agreement that discussions haven't been completed on Item h (Office Location [Building Official/Zoning] & Scanning)), and this topic will be continued on Wednesday, February 1, 2012.

Chairman Allen asked Ms. Harris if she can attend the above referenced meeting at 7:30 p.m.

**i. Adjournment:**

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

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J. Dave Allen, Chairman  
Madison County Board of Supervisors

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Jacqueline S. Frye, Acting Clerk for the Board

Date Adopted by the Board: April 10, 2012

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

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