

## MEETING #38 – July 30

At a Workshop Meeting of the Madison County Board of Supervisors on July 30, 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-Chairman  
Jerry J. Butler, Member  
Pete J. Elliott, Member  
Jonathon Weakley, Member  
V. R. Shackelford, III, County Attorney  
Ernie Hoch, County Administrator  
Teresa Miller, Finance Director  
Jacqueline S. Frye, Clerk of the Board

### **1. Workshop Meeting Agenda**

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

### **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



#### **4. Agenda Items:**

##### a. Financial Review

##### i. Certificate of Claims [General Operations (April 2012 & May 2012)]

Chairman Allen asked if there were any questions pertaining to the certificate of claims.

Supervisor Butler questioned the following:

- a) Page 2: The Commissioner has a 'part-time employee' listed in her departmental budget;
- b) Page 19: There's a biennial contribution to the local fire department for \$41,000.00 – is this a for the insurance program;
- c) Page 11: There is a line item for "Secretary's salary" (Orange County) for \$13,204.00;

Teresa Miller, Finance Director advised:

- i) The Commissioner has always had part-time funding within her departmental budget to compensate sporadic seasonal help; however, it has been a little over a year since she has had someone in place; also; these funds have been eliminated in the FY2013 budget but were present in the FY2012 budget;
- ii) The biennial contribution toward the fire department is what the County provides each year; and
- iii) Page 11 denotes the County's portion to compensate the Judge's Secretary;

##### ii. Certificate of Claims [Capital Improvement (None)]

Chairman Allen advised there are no capital improvement claims.

##### iii. Supplemental Requests [FY2013 – August 2012]

Chairman Allen asked if there were any questions pertaining to the supplemental appropriation requests for FY2013 – August 2012.

##### iv. Supplemental Requests [FY2012 – Post Year #1]

Chairman Allen asked if there were any questions pertaining to the supplemental requests for FY2012 – Post Year #1.

Ms. Miller advised these are standard deposits for the Park & Recreation Authority programs.



iv-1 Supplemental Requests [FY2013 – August 2012]

Chairman Allen asked if there were any questions pertaining to supplemental requests for FY2013- August 2012.

Ms. Miller advised this request is for road construction (Fray's Mill Subdivision) that was discussed during a prior meeting (i.e. balance of appropriate funds that will need to be re-appropriated for FY2013)

v. Certificate of Claims [TOT Fund (June 2012 – FY2012)]

Chairman Allen asked if there were any questions pertaining to the certificate of claims for the TOT Fund for June 2012 – FY2012).

b. Minutes #34 through #36

Chairman Allen asked if there were any questions pertaining to the above sets of minutes. In closing, the minutes will be approved at the July meeting.

c. August Joint Meeting (August 1, 2012)

Chairman Allen advised that the Madison County Planning Commission has cancelled their meeting normally slated for Wednesday, August 1, 2012; since the Madison County Board of Supervisors hasn't advertised a meeting, the session will be cancelled.

Concerns were verbalized as to whether the Commission will discuss the wind turbine request at their next workshop session and about the requirement for a special use permit.

The County Attorney advised the Commission plans to discuss the wind energy issue at their August workshop session. Due to time constraints, there isn't enough time to advertise a public hearing in September; therefore, he suggested the Board hold the public hearing at the October Regular Meeting. Also, the tax benefits associated with wind energy systems will expire at the end of the year and the Ordinance will need to be amended in order to implement a requirement for a special use permit. In closing, he indicated there are two (2) issues of concern: a) the increased tower height (from sixty feet [60'] to one hundred feet [100']; and b) the setback requirements. In closing, Lloyd Williams, Commission Chair will work to draft a plan for the applicant for review by the Commission.

d. Rappahannock-Rapidan Community Services Board (Presentation by Brian Duncan, Ex. Director)

Mr. Duncan introduced the County's citizen representatives that serve on the Community Services Board and also provided an overview of the plan program that is



provided to the citizens of Madison County regarding fiscal stability and unmet needs in the local communities. Additional highlights were provided in the areas of:

- i) Behavioral health (substance abuse, mental health services);
- ii) Program development services; and
- iii) Community housing (group homes);

Mr. Duncan advised there are no 'isolation services', as the RRCSB partners with other local entities and agencies (i.e. social services, law enforcement) in order to meet clients' needs; the RRCSB is looking into transitioning to the electronic health record system and there will be no change in outpatient mental health services for citizens of Madison County. Currently, there is a 'strong volunteer base' in Madison County (at the Senior Center) and mental health services absorb about 6.8% of the agencies total budget and there are currently 375 employees on the payroll (305 full-time). Additional highlights provided revolved around local funding information and fiscal challenges. In closing, Mr. Duncan presented a resolution to the Board for review and approval at the August Regular Meeting.

Supervisor Butler questioned a notation on page 5 of today's presentation and advised that many seniors don't have a picture I.D. or a birth certificate; therefore, he questioned whether the RRCSB could assist in providing seniors with an I.D. card.

Mr. Duncan advised the RRCSB doesn't have the authority to handle the aforementioned request, but can assist seniors with scheduling a visit to the local DMV to attain and I.D. card, if they so desire.

Chairman Allen advised that today's requested Resolution will be added to the agenda for the August Regular Meeting. In closing, he thanked Mr. Slaughter, Mr. Tidball and Mr. McGhee for their service to the citizens of Madison County.

e. Park & Recreation Authority (follow up):

The County Administrator advised that he met with the recreation authority in an effort to receive some input from the members; he has also reviewed the bylaws and met with Mr. Dean and Mr. Price, who would like to add some changes as well – a packet will be compiled and presented to the Madison County Board of Supervisors for review in an attempt to establish what the intentions are for the authority in the future. Currently, there are six (6) members (membership must be an even number) and there can be at least two (2) Supervisors assigned to serve on the authority if desired. Also, he advised that the authority has specific powers (i.e. they can raise money, own property, take out loans, etc.) and activities at Hoover Ridge are 'by agreement' only. In closing, he advised the authority has begun their fundraising endeavor.



Concerns were verbalized as to the authority being shown 'separately,' in the County's budget.

Ms. Miller advised that she is waiting to see if there will be any changes made.

The County Administrator advised that changes were made to the authority's letterhead and they now use separate letterhead from Facilities & Maintenance.

f. Report of Effects of Recent Storm:

The County Administrator advised that things went very well overall in regards to the recent storm that came through the County; however, there will need to be more conventional means necessary to provide information to citizens in a timely manner (i.e. message boards). Furthermore, he suggested the County compile a list of citizens who are considered to be 'at risk'. In closing, he advised that regular maintenance is done on all local facilities that house backup generators.

g. Madison County Personnel Policy:

The County Administrator provided a draft organization chart to show all County departments, along with a copy of a performance review for the County Administrator (annual review process) and updated job descriptions for the: a) Clerk of the Board; b) Facilities Manager; c) Senior Animal Control Officer; d) Solid Waste/Recycling Manager; e) Maintenance Technician; and f) Custodian (full-time and part-time) (i.e. positions that were reclassified by the Board earlier this year), and a recommendation to add background checks (i.e. criminal and driving) as a requirement. Additionally, according to the existing personnel policy, most of the above referenced items are typically implemented by the County Administrator and subject to review by the County Attorney; however, he'd like the Board's input on these items as well.

Supervisor Lackey asked if there were specific changes that needed to be made to the personnel policy, to which the County Administrator advised the only change will be to add background checks and clarification, as the existing policy provides for this inclusion but doesn't exactly 'spell it out', but suggests it be done 'as needed.'

The County Administrator advised there are specific items that are done for the Sheriff's Department and other emergency services personnel (to include dispatchers) which are under a different subset of requirements; therefore, he suggested some of these criteria be incorporated into the existing policy as well. Furthermore, discussions will be held with existing insurance providers regarding motor vehicle checks, which can be investigated for those employees who operate County vehicles.

Supervisor Butler provided a listing of items pertaining to the personnel policy (attached to minutes) along with a chart to list the specific items/descriptions that were implemented. Additionally, he suggested that:



- a) Performance appraisals be completed by May 31<sup>st</sup> of each year unless modified for a particular employee by the County Administrator;
- b) Department Head performance appraisals (Section 7-6) be changed to include “at any time of the year” that the “Board of Supervisors” may submit written comments.....;
- c) Update the cover page and include the Board modifications stating that “All County supervised employees serve at the pleasure of the Board of Supervisors as ‘at will’ employee’s”;
- d) All members of the Board of Supervisors shall be provided a copy of each Department Head employee contracts/agreements/reports/performance appraisals for review and comments prior to employment/promotion/dismissal;
- e) Each Board member shall receive a copy of the County Administrator’s employment contract and shall establish performance appraisal standards for the Administrator within ninety (90) days of employment with the County and have a provision included to allow Board members to add to the appraisal document as an addendum;

The County Attorney advised that any action taken by the Board will be a matter of public record and such items are confidential and should be treated as a ‘closed session item’ and suggested there be no violation of anyone’s performance.’

Chairman Allen stressed the aforementioned concerns are noted as a part of the actual policy and once the appraisal is completed and turned over to the Administrator, it’s his property. In closing, he advised there is an urgency in dealing with the work profile and evaluation for the County Administrator so he will know the expectations of the process; therefore, he suggested the Board take action on this issue at the August Regular Meeting (i.e. adopt or modify), and also noted that employees will be evaluated on their new job descriptions that have been constructed and they should be aware of what’s expected of them in their assignments.

Supervisor Elliott questioned if the Board takes action on the aforementioned items, how much else will need to be incorporated into the policy so it reflects all the needed changes.

The County Administrator explained that he doesn’t feel the evaluation document and job descriptions will necessarily conflict with the actual personnel policy, as these are separate documents, unless there are specific duties that conflict with the actual policy.

Chairman Allen advised there will also be some differences with the County Administrator as he is a contract employee and basically reports directly to the Madison



County Board of Supervisors; therefore, his hiring contract contains specific criteria that will need to be evaluated within six (6) months.

Supervisor Butler advised there are several other job descriptions that are currently outdated, to which the County Administrator advised he plans to update those as well, but wanted to complete the most critical positions first that underwent substantial changes (i.e. supervisor roles).

Supervisor Weakley asked if there was a deadline for comments to be submitted, to which Chairman Allen suggested there be no flurry of emails (pertaining to personnel comments), and suggested this also be discussed at the August Regular Meeting.

#### h. Town Hall Meeting (Fall meeting date):

Chairman Allen advised the Board will need to establish a date for the town hall meeting in September 2012, as it has been agreed the session will take place at the George James Center in Radiant, Virginia. Additionally, the center isn't available on September 25<sup>th</sup>, and the Madison County Board of Supervisors has a workshop on September 24<sup>th</sup>; therefore, he suggested either September 26<sup>th</sup> or 27<sup>th</sup>.

Supervisor Weakley asked if it would be an asset to have the session on the weekend versus a weekday in order to draw more participation, to which Supervisor Butler reminded the members of a past session scheduled for a Saturday during which time no one showed up.

After discussion, it was the consensus of the Board to schedule the meeting for 7:00 p.m. on Wednesday, September 26<sup>th</sup> at the George James Center located in Radiant, Virginia with the same style format as utilized during the previous session.

#### i. Revocable Trust (Topping Family) – Animal Shelter

The County Administrator advised that Mr. and Mrs. Harry Topping, Jr. were past residents of Brightwood, Virginia and willed a portion of their large estate to the Madison County Animal Shelter in the form of two (2) trust funds totaling \$127,000.00 with no restrictions attached on how these funds can be utilized. In closing, he suggested a committee be formed to include those involved at the shelter (i.e. Animal Control officers, volunteers, full-time/part-time staff, etc.) to discuss how best to use this money and provide input to the Board for further discussion.

Chairman Allen suggested at least two (2) Board members be designated to serve on the committee.

After discussion, it was decided that Supervisor Lackey and Supervisor Weakley would be elected to serve as the Board's representatives on the committee.



The County Administrator also advised that citizens are welcome to be involved as well to provide input.

In closing, the County Administrator has spoken to Mr. and Mrs. Toppings' cousin who resides in Florida and will make his contact information available to others within the County. Also, he suggested a Resolution be drafted for the Topping Family to thank them for the generous contribution.

Chairman Allen suggested the Resolution be presented to the Board at the August Regular Meeting for review and adoption.

j. Ordinance #2012-4 [Wild Game Processing (Joe/Carolyn Johnson)]:

Supervisor Lackey advised that she has concerns regarding 'grandfathering' and would like to discuss the 'pros and cons of this factor, as well as determine other ways of approaching this issue so there is no damage implemented to those individuals who are already engaged in the processing wild game within Madison County. In closing, there are citizens present today who would like to provide some input on this matter.

Joe Johnson was present and advised that he has been processing wild game since the 1980's in an existing building located on a farm since the 1940's and can only speak on his own behalf; he asked for clarification that if a special use permit is required in a C-1 zone, this will also apply to an A-1 zone; when he processes wild game, anything that isn't used is picked up for disposal and not left on the property. Additionally, when he started the business, he was advised by the Madison County Board of Supervisors that there were no problems with his seasonal operation in the existing building and everything he does is a matter of public record; however, he did speak with Ms. Grayson, Zoning Administrator, and was advised there wasn't anything in the County's Ordinance to prevent his processing operation. In closing, he advised that he 'doesn't kill or cook anything and follows the state guidelines for wild game processing; therefore, he feels if the County intends to regulate wild game processing (i.e. 'by right or special use permit), this will affect the local hunt clubs and those who pay to hunt here by taking away tax dollars from the County, as this is a rural business.

Carolyn Johnson was also present and advised the existing site was used as a meat company in the 1940's by another owner; they have checked with state guidelines and are present today because of the timeline the proposed changes will bring forth which will cause their operation to basically shut down and hinder the upcoming hunting season and their ability to process 10,000 pounds of venison for the local food pantries. Also, they are concerned that if these proposed changes are made within the next thirty (30) to sixty (60) days, VDOT will need to inspect their entrance and they may not be able to get everything in order prior to the upcoming hunting season. In closing, she advised their facility is inspected when they participate in community based food programs.



Shawn Woodfolk was present and advised that he has operated a wild game processing business since 2003 and basically operates his business in the same manner as the Johnson's operate their business; he also talked with Ms. Betty Grayson, Zoning Administrator, and was advised there was nothing in the Ordinance that would require him to make any changes to his existing operation. In closing, the timeline will make things difficult for his operation from a financial standpoint with hunting season quickly approaching.

Judge Berry was present and advised that he reviewed the Ordinance after Mr. Woodfolk advised he was told there were no changes in place to effect his operation.

Concerns were verbalized from the Board regarding the fact that both operations have employees who will be affected if the proposed changes are implemented.

The County Attorney advised that both operations' comments today are correct, in that the County had treated wild game processing as a part of agriculture being permitted in a C-1 and A-1 zone(s); however, he feels the issue was brought forth when the Commission started looking at commercial slaughterhouses and how this use fits into the County's Ordinance. Also, he feels the Commission thought wild game processing was basically the same as a commercial slaughterhouse, which was an erroneous assumption. In closing, he suggested the proposed amended wording be deleted and return to treating wild game processing as it had been treated in the past (in the scope of agricultural operations) to include state and health regulations.

Supervisor Elliott questioned the fact that the County still hasn't addressed the definition of a commercial slaughterhouse; he doesn't feel the proposed changes are very 'business friendly' and will cause hardship for the processors here today that provide meat to feed those in need.

Supervisor Lackey advised there are some things that can be done 'by right' and processing food for wholesale is one of those uses.

Chairman Allen advised concerns with attaching 'wholesale' to the use, as the processors aren't selling; if they get in the business of 'selling' this will change their entire operation. In closing, he feels the current imposed changes will not be favorable to those who process wild game and questioned whether an additional public hearing will be needed; he also questioned the fact that meat processors aren't actually selling but only processing for the owner(s).

The County Attorney suggested another public hearing not be scheduled, as additional criteria isn't being added to the issue of wild game processing; however, the issue of 'where' processing will occur (in C-1 and A-1) is of discussion.

Bill Tidball asked for clarification about 'grandfathering'.



Concerns were verbalized that there would be less confusion if the issue of wild game processing could be addressed without discussing the issue of 'grandfathering', as the County Attorney feels this adds a different level of complication.

Bill Campbell advised that folks rent his cabin here for a week at a time in order to go on hunting trips and it's good to be able to have your 'kill' processed here so you can take it home.

Supervisor Elliott advised that if the County Attorney is in agreement with the wording, this will be appropriate.

Additional concerns verbalized by the Board members included the fact that the wording doesn't address the issue of allowing neighbors the opportunity to weigh their input (i.e. a 'by right use' restricts limitations), but a use 'by special use permit' (i.e. can limit the hours of operation) does if it's for a new operation, and the fact that language could be amended that is offered by the Commission by including 'wild game processing' as a use 'by right.'

The County Attorney advised the Board needs to decide whether to schedule another public hearing to announce any proposed changes in the language. In closing, he advised there have been no complaints about how this type of operation is now being done within the County.

Supervisor Lackey advised there have been a few complaints regarding 'after hour noise' which could be addressed by a noise ordinance, which the County Attorney highly recommended the Board not pursue, as this isn't the solution.

Chairman Allen asked for clarification that the Board desired to continue addressing the Ordinance as it is now proposed, and as discussed at the last public hearing, and address issues regarding 'grandfathering', or change the wording and make the use 'by right.' In closing, it is believed the Commission implemented the changes based on public input from the public hearing process.

Supervisor Elliott advised he has no issues with 'grandfathering', but doesn't want to see the County do anything to hurt existing businesses that have been surviving thus far.

Chairman Allen advised a proposal sent by the County Administrator indicated 'if a business is currently in existence, a time period should be established for them to acknowledge to the County that they were in businesses as of the date the Ordinance becomes effective, and they can be 'grandfathered.'

Supervisor Lackey and Supervisor Butler advised they weren't in favor of 'grandfathering' as there are other wild game processing operations here and feel operators should come forth and identify themselves if they want to be 'grandfathered.'



Additionally, if anyone wants to start a wild game processing operation in the future, they will need to apply for a special use permit which will put them at a disadvantage.

Further comments from the Board pertained to the fact that wording could include 'if a fee is charged to process wild game', to which Supervisor Butler advised he was only in favor of changing the wording for A-1; the goal isn't to place anyone at a disadvantage; and there are many families that can be fed by the processing of 10,000 pounds of meat.

The County Attorney suggested the Board make a decision, as this issue has been discussed for several years and should be taken care of at the next meeting session, to which a consensus was verbalized.

Supervisor Elliott advised that Ms. Grayson, Zoning Administrator, is well aware of who is processing wild game throughout the County.

After discussion, the Chairman wanted to clarify that it is the will of the Board to make changes to the Ordinance to 'grandfather existing businesses'; although all members aren't in favor of 'grandfathering' it is the decision that a method will be implemented to amend the existing Ordinance to include wild game processing 'by right.'

Supervisor Elliott questioned that if businesses are 'grandfathered in' at no time in the future will the existing operators be required to obtain a special use permit, to which it was denoted that only one member was in agreement with that factor.

Bill Campbell made reference to past changes and feels if the Board adopted today's concept 'by right' in a C-1 zone (by special use permit), and not change the A-1 guidelines.

In closing, it was clarified by the Board and County Attorney that uses allowed in a C-1 zone are also allowed in an A-1 zone; however, there are some uses allowed in an A-1 zone that aren't allowed in a C-1 zone.

Chairman Allen feels the Board has established a consensus and advised the intention of the Board is to add wild game processing to the existing Ordinance along with language 'for wholesale' or 'not for sale.'

The County Attorney suggested the Board incorporate a paragraph that states "wild game processing..."

After discussion, the County Attorney will draft the document for the Board's review.



k. Rochelle Christian Church (waiver or landfill fees):

The County Administrator advised that members of the Rochelle Christian Church would like to clear out some brush and trees from the grounds and have asked the Board to waive the landfill fees.

After discussion, it was the consensus of the Board to waive the landfill fees for the Church.

Chairman Allen also advised that Mr. Joe Parker had made a request at a previous workshop session; however, he wasn't in attendance to express his request; therefore, he suggested Mr. Parker be asked to attend the August Regular Meeting.

l. Piedmont Workforce Network (Citizen Appointee)

Chairman Allen advised the Board will need to appoint a representative to serve on behalf of Madison County; the last representative who was elected by the Board didn't attend any meetings (i.e. there are four [4] meetings a years). In closing, he suggested Ms. Tracy Williams-Gardner, Director of Tourism, be appointed to serve, as she has shown interest in serving.

After discussion, there were no objections to elect Ms. Gardner to serve.

m. Update on Criglersville Elementary School.

The County Administrator advised that he traveled to Criglersville to investigate the condition of the school, surrounding buildings and the old house on the property. To the best of his knowledge, there is no kitchen facility in one of the buildings and the septic system isn't tied to anything; therefore, he suggested the Board come to a conclusion within the next six (6) months to take action on the future of the property

**5. Potential Action Item(s):**

Chairman Allen advised that a request has been received from the school system in the amount of \$247,760.85 and was acted upon by the Madison County School Board during their June 2012 monthly meeting and wasn't presented to the County in August 2012.

Supervisor Weakley asked if the funding pertained to the CIP which isn't in operation.

The County Administrator advised that he will speak to Dr. Eberhardt, Superintendent, about a memorandum of understanding; however, the funding request will enable the school system to pay Crabtree, Rohrbaugh Associates, Inc. on the five-year (5) contract. In closing, he plans to meet with Dr. Eberhardt tomorrow.



Supervisor Butler advised that he wasn't in favor of appropriating any funding until a memorandum of understanding is in place, as he would like to see the County have some input.

The County Administrator advised that the school system can't move on the CIP until the Madison County Board of Supervisors has approved a contract.

Supervisor Weakley questioned the date on the letter that has been provided and advised he'd like to wait to take action at the August Regular Meeting, as he concurred with Supervisor Butler regarding a memorandum of understanding being in place.

Supervisor Elliott questioned whether the supplemental request is enough to fund getting engineering and architectural information in place to implement a bid. In closing, he doesn't understand why the school board doesn't attend meetings any longer to verbalize their concerns.

The County Administrator apologized for not advising that Dr. Eberhardt had another commitment to attend today.

Supervisor Butler asked if there was any mention about returning \$225,000.00 to the County.

Ms. Miller advised that pre-audit will be done by the second week in September 2012; after that process, she will have more concrete figures on the school system.

The County Administrator advised that he is working on the centralized accounting system; however, funding hasn't yet been appropriated for this purpose.

Supervisor Lackey questioned the fact that the Madison County Board of Supervisors hasn't approved a process to implement a bid, to which the County Administrator advised the school system is moving forward under the authority of the County's approval of a construction management company.

After discussion, it was suggested the Board defer from taking action on today's requests until a memorandum of understanding is in place along with cost estimates from the school system.

The County Administrator advised the second request from the school system is in the amount of \$9,175.77 which equals the three (3) invoices the County paid to them for fuel usage in 2012. Basically, the school system is asking the County to appropriate this additional money for their 2012 budget; however, based on recent projects, it doesn't appear this will be needed, although they are close to having expending all of their available funding. In closing, if this funding is reallocated now, it will be an addition to what will be returned at the end of the year. Furthermore, if they have post year expenses, and they don't have enough cash to allocate, they would experience a budget



shortfall. In closing, he plans to meet with Dr. Eberhardt shortly and should have more concrete information to report at the next Board meeting.

Ms. Miller advised if the Board does appropriate the above referenced amount, it must be done at the August meeting since that's when post year does end.

Supervisor Lackey questioned the fact that the fuel expenses have already been paid, to which the County Administrator clarified that the school system budgeted to receive \$76,000.00 in fuel revenue during the last year – in this year's budget, they allocated \$80,000.00 in fuel revenue (to be received from the County); however, the total amount the County paid during the past year was \$109,121.00 for fuel usage which was actually more than they budgeted to receive, however, they're only asking for a small portion of the total difference. In their expense category, they budgeted \$325,000.00 for fuel (including for County usage) and it appears they came very close to using this figured amount.

Ms. Miller advised they budgeted \$342,206.00 which leaves a difference of \$5,411.00.

The County Administrator advised the school system has been 'under budgeting' their revenue items.

Chairman Allen advised the school system is budgeting to purchase fuel for their usage and also for the County to use – when the Board appropriates funding for the school's budget, the fuel is already being paid for and then repaying as fuel is used and the money being requested today has 'already been paid.'

Supervisor Weakley suggested today's request be deferred, as was concurred by Supervisor Elliott.

In closing, the County Administrator advised that he will speak with Dr. Eberhardt prior to the August Regular Meeting and will encourage him to present an assessment on this issue, if he desires.

#### b. Commonwealth Attorney (appropriation request)

The County Administrator advised the request from the Commonwealth Attorney to cover twenty-five hours (i.e. \$7,100.00) for a part-time employee; based on his investigation, the funding shortfall can be covered by savings found in line items in the landfill and recycling budget category and placed into the Commonwealth Attorney's departmental budget. In closing, he advised the Commonwealth Attorney isn't short of funding right now; however, a funding shortfall will be in place later in the fiscal year and Mr. Webb would like some closure on this issue.

Although, action isn't needed immediately, it was clarified that Mr. Webb would like an assurance that the funding will be forthcoming; therefore, by consensus of the Board, this issue will be acted upon at the August Regular Meeting.



**6. Information/Correspondence (if any):**

Chairman Allen advised the Board will need to enter into a closed session to perform interviews for boards and commissions.

***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 consideration or interviews of candidates for employment or appointment to authorities, boards or commissions, specifically the Social Services Board and the Industrial Development Board, 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 Lackey, seconded by Supervisor Elliott, 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

As a result of closed session, the Board asked that Mr. Dudley Pattie be asked to attend an interview on Tuesday, August 14, 2012 at 2:45 p.m. in the auditorium prior to the



August Regular Meeting. In closing, it was denoted that candidates who interviewed for the Social Services Board were asked to attend the meeting as well.

**Transfer Station (Personnel Concerns)**

Chairman Allen suggested the Board discuss the personnel concerns at the Transfer Station.

The County Administrator advised that he didn't have all options ready for discussion, but would like to prepare a package for discussion a future workshop session.

Chairman Allen advised there are rumors circulation as to 'what may or may not' happen with certain positions; it's rumored that a decision has been made and there hasn't been any discussion amongst the Board. In closing, he suggested if any Board members are approached with questions, to please refer individuals to the County Administrator for advisement.

**7. Adjournment:**

With no further action being required, on motion of Supervisor Weakley, seconded by Supervisor Lackey, 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, Clerk to the Board

Adopted on: September 11, 2012

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

