

MEETING #22 - March 26

At a Workshop Meeting of the Madison Board of Supervisors on March 26, 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, Clerk of the Board

Agenda:

1. Call to Order:

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

2. Pledge of Allegiance & Moment of Silence:

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

3. Adoption of Agenda:

Chairman Allen advised that the Board will need to discuss:

- a) The interview schedule for tomorrow;
- b) Possible appointment of an alternate to serve as the Board's liaison on the Rappahannock Juvenile Detention Center (Stafford, VA);
- c) Budget concerns;

Supervisor Butler questioned that today was a Workshop Session, as this wasn't denoted on the Agenda.

After discussion, it was the consensus of the Board to adopt today's agenda as amended.



4. Agenda Items:

Interviews (County Administrator)

Chairman Allen advised that one (1) of the candidates slated to be interviewed tomorrow has cancelled because of family illness; therefore, the schedule is already established – although a request was made for the interview sessions to begin at 8:00 a.m., this wasn't the end result. In closing, if all members are in agreement with the scheduled as presented, he suggested the Board meet at 12:15 p.m. for lunch and commence with the schedule as outlined by Springsted, Inc.

Rappahannock Juvenile Detention Center (Board Liaison)

Supervisor Lackey advised that she is the Board's representative on the Rappahannock Juvenile Detention Center and attended a special called meeting last month; however, their meetings are held on the last Monday every other month at 12:00 p.m., which makes it impossible for her to attend and return to Madison in time for the Workshop Session that begins at 2:00 p.m. Additionally, the Board advertised for a citizen liaison, but no one elected to apply; however, Mr. Alfred Goossens of Syria, Virginia has advised that he would be happy to serve and has a background in finance and administration.

Supervisor Butler recommended that James Arrington also be asked to serve, as he previously served during the past year.

Chairman Allen asked if Mr. Arrington had expressed an interest since nobody came forward to apply. In closing, he advised if there are two (2) individual who are interested, the Board can proceed with the interview process, if agreeable, or re-advertise the appointment.

Supervisor Butler advised that he'd like to see the Board interview both parties.

Supervisor Lackey suggested the Board hold the interviews at 6:30 p.m. on Wednesday, April 4, 2012, prior to the meeting already scheduled for 7:00 p.m. that evening.

After discussion, it was the consensus of the Board to have both applicants attend a special meeting on Wednesday, April 4, 2012 at 6:30 p.m. for an interview.

Budget

Chairman Allen advised that an email was sent out by Dr. Eberhardt, Superintendent, to all school personnel that basically indicated the schools were in dire need of more money that the Madison County Board of Supervisors budgeted, and that he will have to cut twelve (12) to twenty (20) teaching positions, and has also advised this information onto local citizens.



Chairman Allen gave all members a spreadsheet that Ms. Miller prepared to denote the school's budget for last year which denoted an approved budget of \$17,651,201.00, which was level funding. Additionally, he advised if the Superintendent can operate the school this year on the aforementioned amount, he feels certain it can be done again next year without cutting twelve (12) to twenty (20) positions.

Chairman Allen also advised the Madison County Board of Supervisors agreed to re-appropriate \$225,946.00 at the beginning of the next fiscal year to the school system's budget. Furthermore, the amount the school system spent on Christmas bonuses during the last year (plus the \$225,000.00) was \$375,000.00; Dr. Eberhardt has advised he'd like to give all school personnel a 2.7% raise (which will cost \$325,000.00). During the budget process, the Madison County Board of Supervisors identified both funding amounts for raises for school personnel. Lastly, an email was sent to Jeff Early, School Board Chairman, today, in an effort to correct the mischaracterization that Dr. Eberhardt included in an email, which he hopes all members got an opportunity to review. Finally, he feels the email is 'drama, histrionics, and theatre at its best', but isn't based on facts. In closing, he has asked Tina Cropp, School Finance Officer, to get with Dr. Eberhardt and advise the Madison County Board of Supervisors of the exact bottom dollar needed in order to operate the school and provide raises, which was also asked of Mr. Early as well, and no response has yet been received.

Chairman Allen indicated that he feels the County is responsible in its budgetary presentation to the school system and the citizens, and he feels the school system is trying to impose upon the citizens that the Madison County Board of Supervisors is 'anti-educational' and anyone present today knows that isn't true.

Supervisor Elliott asked about the additional funding received from the state. In closing, he questioned the \$425,000.00 that the school system hasn't applied for reimbursement of and the \$200,000.00 that is still available.

Chairman Allen advised the total is \$1,300,000.00 and is factored into the total budgetary; however today's funds is the total revenue the school system is getting from all sources (i.e. \$16,941.41). In closing he clarified that of the \$425,000.00, the County is seeking to re-appropriate \$225,000.00 and the other grant was for \$349,000.00, of which they used \$150,000.00 for the Christmas bonuses, but never requested reimbursement of the expense and the funds are still available for spending.

Chairman Allen advised the school system utilized a budgetary maneuver for the \$200,000.00; according to the auditors, the Madison County Board of Supervisors didn't have to appropriate the aforementioned funds. In closing, he explained the original expenditures had to be for salaries and/or bonuses but the reimbursement didn't have to be spent on salaries and/or bonuses, and it is unsure exactly where the \$225,000.00 was spent.



Chairman Allen advised that Ms. Miller requested detailed worksheets from the school system and he hopes to have these by Friday.

Supervisor Lackey also advised that although funding for the school system's operations is leveled, the County is looking to incur significant debt in order to fund improvements to school facilities which will directly affect the health and safety of students – this incurred debt will take the next fifteen (15) years to repay.

Chairman Allen advised the Board will need to enter into a closed session at about 3:40 p.m. to discuss personnel issues and move forward to conduct interviews.

Financial Review

Ms. Miller advised she will have January 2012 claims for placement in the member's mailboxes, but will request action be taken at a later date.

Chairman Allen advised that general operations claims, capital improvement claims and supplemental appropriations haven't been passed out yet and will be done at a later time.

Minutes

Chairman Allen asked if there was anything to discuss on Minutes #1 through #13 that have been emailed.

Supervisor Elliott advised that he hasn't read the last two (2) sets.

After discussion, Chairman Allen advised that Minutes #1 through #11 will be added to the Consent Agenda.

Supervisor Butler advised that he would prefer to vote on these items separately.

Chairman Allen explained the concept of the Consent Agenda and that this category contains items discussed during the workshop session as a group rather than voting on each item separately. In closing, he advised that if anyone has a question about anything denoted on the Consent Agenda that they'd like to vote on separately, this can be done by any single member.

Supervisor Elliott advised that he wasn't in favor of voting by consent.

Chairman Allen advised the issue is a part of the by-laws and questioned if this is something that needs to be addressed again and may need to be amended at the next regular meeting session.



Supervisor Lackey advised that she would like to see the minutes and financial information before they're voted on and would like to have them in hard copy form.

Chairman Allen explained the purpose of utilizing email was done in an effort to save paper as some items average fifty (50) to sixty (60) pages; however, if a hard copy is requested, Ms. Frye wouldn't have any objections to obliging the request; however, this may involve a tremendous amount of paper.

Ms. Frye explained that once minutes are approved, they are posted into the Minute Book. In closing, she advised that once approved, they are also posted to the County website for citizens to review.

Citizen Concern (S. Wray)

Mr. Wray was present and verbalized concerns regarding the fact that he had to pay \$200.00 for a variance fee and feels he was penalized because of a property issue that has been in place for years. Additionally, he verbalized concerns about the \$30.00 administrative fee and the fact that he was charged twice (i.e. one vehicle is in his name and the other is in his wife's name) and feels a household should only be charged once. Furthermore, he explained that he isn't working right now and there are many other folks struggling during these hard economic times and still, there were late fees assessed that he had to pay. In closing, he advised that he failed to obtain a building permit before implementing the additions to his dwelling.

Betty Grayson, Zoning Administrator, was present and explained that the variance issue resulted from a neighbor complaining; when Wes Smith, Building Official, viewed the site, he discovered Mr. Wray was building a deck without a permit and the setback requirement should've been 125 feet (125') and it was only 100 feet (100'). In closing, she advised that the Madison County Board of Supervisors had previously discussed amending the Zoning Ordinance, but this hasn't yet been accomplished.

Mr. Wray advised that the deck was to be 8 feet by 10 feet (8' x 10') and he was adding a larger addition to his home than he had intended.

Chairman Allen advised that the setback compliance is the issue and questioned whether there was a way to remedy this.

Supervisor Elliott suggested that Mr. Wray combine his two (2) pieces of property.

Ms. Grayson advised that the two (2) pieces were once a 15-acre tract and the previous owner subdivided the tracts into one (1) 14-acre lot and a one (1) acre lot.

The County Attorney advised the issue is something that Mr. Wray's attorney should've caught. Furthermore, he indicated that the Clerk's Office isn't responsible for zoning



compliance issues, as these are generally caught when an owner tries to do something with the property. In closing, he reminded the citizens that Virginia is a 'buyer beware' State.

Chairman Allen asked if today's issue was similar to what happened with Duct Rite, Inc. in the past.

The County Attorney advised the building where Duct Rite, Inc. is located was already a non-conforming property; however, the proposed changes that were done at that time will not benefit Mr. Wray's issue.

Stephanie Murray, Treasurer, was present and advised that her office is following the guidelines contained with the County's Ordinance and their bills are done based on the social security number denoted on each account. In closing, she advised that one vehicle was listed with Mr. Wray's social security number and the other was listed with his wife's social security number; therefore, each vehicle was charged.

The County Attorney advised that the administrative fee was initiated as a means of creating more revenue for the County.

Ms. Murray questioned if this process was utilized by other localities based on Virginia Code.

Chairman Allen suggested the Board discuss the delinquent tax fee at the July workshop session and requested Ms. Murray attend to provide input. In closing, he asked if there was any further discussion about the \$200.00 variance fee, to which there was none.

In closing, Chairman Allen thanked Mr. Wray for attending.

Citizen Inquiry (B. Evans)

Ms. Evans was present and advised that she would like to provide childcare in her home which is situated on three (3) acres in an A-1 zone; however, she was advised that in order to accommodate her request, she would need six (6) acres of land as noted in the Zoning Ordinance for a 'day care center' which isn't what she's requesting to do. Furthermore, she wanted to secure licensure and was advised by representatives in Fishersville, Virginia, to get approval from Madison County first. Additionally, she advised that she wasn't looking to construct a separate building, but wanted to use the existing space, and even if a special use permit is purchased for \$500.00, she was advised that she would need six (6) acres of land in order to proceed. In closing, she reiterated that she isn't starting a 'day care center' but wants to provide child care in a home setting as a means of supplementing her income.



Supervisor Lackey questioned how many children will be provided for with the license, to which Ms. Evans advised the license will allow her to provide care for up to twelve (12) children and maybe one (1) assistant, depending on the age of the children, and a license will make her more credible in the profession.

Ms. Grayson advised that the existing Zoning Ordinance only contains one (1) definition of a 'day care' for Madison County and there is no definition for a 'by right.' Additionally, she contacted the Department of Social Services to see what they provide and was advised there is no licensure required for providing care to less than twelve (12) children. In closing, she stated that an application for a variance will be needed for a property that contains less than six (6) acres.

The County Attorney advised there are acreage requirements and sometimes there can be complaints from neighbors as to there being 'too much activity' on a certain amount of acreage. In closing, he advised that the minimum use in an A-1 zone is six (6) acres.

Comments were made from the Board members regarding the fact there are probably many sitters within the County and homes that provide care to children and seniors as well; however these providers are probably not reporting these activities.

Ms. Evans advised that she would like to take the class in Fishersville, Virginia in order to attain a license.

Chairman Allen questioned whether a special use permit could be attained.

Supervisor Elliott explained the various criteria involved with a special use and the expense. In closing, he questioned whether the applicant could apply for an amendment to the existing Zoning Ordinance.

Ms. Grayson advised that Ms. Evans could write a letter to request for an amendment, which will need to come before the Madison County Planning Commission and Madison County Board of Supervisors; however, just because an application for an amendment is brought forth doesn't mean it will be approved.

After discussion, Chairman Allen asked Ms. Grayson to provide information to Ms. Evans regarding the process and what criteria will be required.

Rescue Squad Billing

Steve Grayson was present and advised that during the February business meeting, the volunteers voted to proceed with revenue recovery and will utilize the same billing company and system that the County already has in place.

Supervisor Butler questioned if the billing would be divided equally.



Mr. Grayson advised the volunteers would like to propose a formula to determine which entity will collect the fee, as paid EMS also run calls with the volunteers. Additionally, the volunteer service will have a separate license and all monies received from the volunteers will be deposited directly into an account that has been established and none of these funds will flow through the locality. In closing, he advised that all monies collected will be 100% committed to be earmarked for a new building. In closing, he advised that if a call involves at least two (2) paid staff, the monies will go toward the County and if the call involves at least (2) volunteers, the monies will go to the volunteers.

Lewis Jenkins, Director of Emergency Medical Services, was present and read the agreement that was drawn up the County Attorney between the Madison County Board of Supervisors and the Madison County Volunteer Rescue Squad which contains wording that covers what the volunteers want to be in place. Furthermore, all Resolutions have the volunteers included and will follow the same fee structure in place for the County. In closing, he advised that he sat in on the meeting with the billing company and it was denoted that calls will be merged; therefore, when a call is run by a volunteer and paid EMS staff, neither will see one another's call sheets and both sheets will be sent to the billing company where they will utilize criteria to match things up, and all calls will have a narrative included.

The County Attorney questioned what would transpire if a call involves one (1) volunteer and one (1) paid staff member, to which Mr. Jenkins advised that based on the agreement, the volunteers would receive the funds. In closing, Mr. Jenkins advised that things are moving toward supporting emergency medical services within Madison County.

The County Attorney questioned whether the billing company needs to the Madison County Board of Supervisors to endorse today's proposal, to which Mr. Grayson advised that once both agencies are being billed, they needs to be a method in place to offset any potential budget shortfall that may arise for paid EMS.

The County Attorney advised that the wording in the agreement will need to reflect the aforementioned concern and suggested this be discussed during the next board meeting.

Chairman Allen asked Mr. Jenkins to provide some verbiage to the agreement for review.

Mr. Grayson advised that paperwork has been completed by the volunteer services for licensure.



Supervisor Weakley asked that a rough draft be provided to all members for review prior to the meeting.

Mr. Grayson advised that the billing company has advised things will be in order by June, which he doesn't feel is very realistic; however, the volunteers will plan to make the citizens aware of the change and nothing will be done until 'everything is in place and right.'

Criglersville Elementary School

Chairman Allen advised that Supervisor Butler sent an email during the past week about receiving a request to have a grant writer brought on board (in some fashion) to address issues pertaining to the Criglersville Elementary School.

Supervisor Butler indicated that he asked Ms. Susan Apel to investigate the possibility of attaining a grant writer, which did was successful in doing.

Ms. Apel was present and presented copies of documentation to the members for review. In closing, she advised that she has been investigating grants, although she hasn't delved very far, and has also had a few citizens contact her to provide grant support information.

Riddleberger Brothers (Contract)

Teresa Miller, Finance Director, provided the Board members with a copy of a preventative maintenance contract for Riddleberger Brothers to perform maintenance on County facilities, excluding the Courthouse. Furthermore, she advised that based on the County's procurement policy, two (2) verbal contracts or two (2) written contracts are to be obtained. In closing, she advised that Riddleberger Brothers is very professional and provided the following contract information:

1. Riddleberger Brothers (written proposal) \$7,512.00
2. Madison Plumbing, Inc. (verbal proposal) \$8,000.00
3. Fowler HVAC (verbal proposal) \$5,986.00

Ms. Miller asked the Board members to review the contents and advise her of any suggested changes so she can report them to Riddleberger Brothers, Inc. and ask them to revise the proposed contracts.

Chairman Allen advised if the proposed changes are significant, the Board may need to revisit the proposal.



5. Information & Correspondence (if any)

None.

6. Closed Session

a. Closed Session

On motion of Supervisor Butler, seconded by Supervisor Lackey, the Board convened in closed session, pursuant to Virginia Code Section 2.2-3711(A)(1) pertaining to personnel matters and the consideration of candidate(s) for employment or appointment to authorities, boards, or commissions, specifically the Madison County Park & Recreation Authority, Germanna Community College 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 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)(1), 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



d. Return to Open Session –

No action was taken as a result of closed session

Adjournment:

On motion of Supervisor Weakley, seconded by Supervisor Elliott, 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, Acting Clerk for the Board

Date Adopted by the Board: May 8, 2012

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

