

## MEETING #12 – February 25

At a Workshop Meeting of the Madison County Board of Supervisors on Monday, February 25, 2013 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  
Ernie Hoch, County Administrator  
V. R. Shackelford, III, County Attorney  
Phillip Tartaglia, Finance Director  
Jacqueline S. Frye, Clerk of the Board

### **1. Regular 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.

### **3. Adopt Agenda:**

Chairman Allen called for any updates or corrections to today's agenda.

Supervisor Butler proposed that a public comment section be added to the workshop session as a matter of practice. In closing, he advised the citizens only have a chance to provide public comment at the regular meeting.

Supervisor Lackey asked about the purpose of the workshop session, to which Chairman Allen advised this particular session is for Board discussion only, and if comments from the public are necessary in relation to a particular issue being discussed, this will be sought.

Chairman Allen advised that all Board member's home numbers and email addresses are denoted on the County's website. Additionally, he wasn't in favor of adding a public comment to the workshop session, as he feels this will cause a distraction to the meeting session.

Supervisor Elliott advised that he would be in favor of adding a public comment session next month, but not for today's session.

Supervisor Lackey was in agreement with the concept provided by Chairman Allen, and suggested the Board continue with the original practice.



The County Attorney reminded the Board of its bylaws that were adopted pertaining to the meeting format; therefore, he suggested that any course of action be in conformance with the adopted bylaws.

Chairman Allen called for further additions, deletions or corrections to today's Agenda.

On motion of Supervisor Weakley, seconded by Supervisor Lackey, the Board adopted the Agenda as presented, 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:**

Chairman Allen advised the certificate of claims have been provided; therefore, he questioned if there were any concerns.

- i. Certificate of Claims [General Operations (December 2012 – FY2013)]
- ii. Certificate of Claims [Debt Service (December 2012 – FY2013)]
- iii. Certificate of Claims [Tourism Enhancement (December 2012 – FY2013)]
- iv. Supplemental Requests – General Operations (December 2013 – FY2013)]

Supervisor Butler pointed out that today's format is missing the 'purpose' for which claims were paid; therefore, he suggested this information be reinstated.

The Finance Director advised that he will reprint the information and disburse this in a few days.

##### **b. Minutes #1 through #8:**

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

Supervisor Lackey advised that she has a couple of questions and will follow up with the Clerk.

##### **c. E911 Address Report – County Administrator**

The County Administrator advised that he has followed up on a claim presented by Ms. Grace-Graber at the February Regular Meeting, with regard to her request to have her road name changed. After investigation, he discovered the issue was based on the fact that the property is situated on a private road (subdivision was platted in 1967) in a private community, with an "HOA" (Homeowner's Association) in place; any requests for a name change or the erection of a sign will need to go through the "HOA" for approval. Also, the current address is identified as was found to be correct on the Map Quest and



Google websites. In closing, he advised there is no action the County is obligated to regarding this matter.

In closing, Supervisor Butler thanked the County Administrator for researching this issue, and feels the safety, health and welfare of the citizens have been established regarding this concern.

**d. Madison County Electoral Board (Request for Space – Registrar’s Office)**

Lisa Davis, Vice-Chair of the Madison County Electoral Board, was present and advised that a letter was sent to all Board members regarding space concerns for the Registrar’s Office. She also advised there are security concerns in place and the current location of the Registrar’s Office doesn’t meet ADA guidelines, as the doorway isn’t large enough for anyone in a wheelchair to enter and/or move about within the office environment. Lastly, she hopes the current Board will review the letter provided and provide the needed facilities for the Registrar’s Office.

Supervisor Butler asked if all requirements were met when the Registrar’s Office was located in the front office at Thrift Road.

Diana Eanes, Registrar, was present and advised that while in the front offices at Thrift Road, a wheelchair was able to enter the office, but the doorway of her current office doesn’t allow entrance and is in direct violation of ADA requirements.

Bonita Burr of the Madison County Electoral Board was also present and advised the Registrar’s Office must also have sufficient space to set up absentee voting equipment at least forty-five (45) days prior to the election. In closing, she advised the voting precinct at the Criglersville Elementary School isn’t fully secured, but is acceptable.

The County Attorney advised that under the current voting rights act, the County will need to meet all requirements in order to implement a change in any voting locations and this information must be reported to the Department of Justice.

The County Administrator reiterated that he has a plan in place to look at all County space and determine the best utilization of said space, and that other department may have needs as well. In closing, he advised that he will have a plan of options within the next thirty (30) to sixty (60) days for the Board to review.

Ms. Burr advised that the Madison County Electoral Board was advised that something would be sought after the courthouse project was complete.

Ms. Davis referred to a military term of ‘low hanging fruit’ in reference to the fact that the Registrar’s Office is in need of a dedicated conference room to be solely used for training, absentee voting, and equipment storage.

Supervisor Weakley questioned whether thirty (30) to sixty (60) days will be enough time to bring forth a plan by November, as ADA concerns need to be addressed.

After discussion, Chairman Allen advised the Board hopes to have some answers to today’s concerns very soon.



#### **e. Central Virginia Regional Jail (Trustee Work Program)**

Chairman Allen advised that he spoke with Glenn Aylor, Superintendent, about the trustee work program, which Mr. Aylor advised would consist of two (2) inmate work teams that will be made available to the participating localities. Additionally, the request will go through the County Administrator, who, in turn, will be responsible for overseeing the process. Also, there will be:

- a) No waiver of liability;
- b) No change to the County; and
- c) The program will be offered on a 'first come – first serve' basis;

Chairman Allen advised that teams are available now; however, all are currently booked and there is no set schedule in place – if one locality doesn't have a need for service at a particular time, the team will then be made available to the next available locality.

The County Administrator asked all Board members to compile a list of areas in the County that need to be cleaned.

Supervisor Butler suggested the Town of Madison also be asked if they are in need of these services.

It was also advised the area behind the Courthouse will need to be taken care of in order to keep it from becoming overgrown.

The Sheriff verbalized no concerns pertaining to the inmate work program, as his department will not be involved.

#### **f. Storm water regulations (B. Daniel)**

Brian Daniel, Erosion & Sedimentation Technician, was present and advised that HB2005 calls for the County to combine storm water regulations into one developmental kit. Additionally, a draft storm water ordinance will need to be ready for proposal by April 1, 2013 and must include all policies and procedures to be implemented for the program.

Mr. Daniel also advised the new regulations will include guidelines for VSMP permits and storm water prevention, which the County will be required to enforce for any land disturbance of one (1) acre or more. In closing, he advised the program will:

- a) Promote more open space; and
- b) Reduce phosphoresces;

He also advised there are nine (9) key elements that must be addressed and the County will need to look at whether to adopt the current State fees or adopt its own set of fees for implementation with the program.

Supervisor Lackey if the County can add its own set of fees along with the State fees that are already established.

**Mr. Daniel advised that the County can elect to charge fees above the State's established fee schedule, \$2,700.00, for any land ranging from one (1) acre to five (5)**



acres (land disturbance permit); however, the State will require the receipt of \$756.00 or twenty-eight percent (28%) of the established fee of \$2,700.00, with the remaining amount being allocated to the County.

Supervisor Elliott asked about the requirements that will need to be handled by the County.

Mr. Daniel advised that the County will be required to:

- a) Perform inspections of disturbed land every two (2) weeks or every forty-eight (48) hours after a rainfall;
- b) Implement all storm water regulations; and
- c) Oversee all VSMP permits;

Also, homeowners will need to attain an engineer to implement a run-off plan and annual inspections must be submitted to the County. In closing, he advised there are exclusions for residential home sites based on specific clarifications.

Supervisor Butler asked about bio ponds and connecting interceptors.

Supervisor Lackey asked how home additions will be handled.

Mr. Daniel advised that anyone performing a home addition will be required to follow the same guidelines unless the land disturbance is less than one (1) acre and that planned development will need to be incorporated. Also, a storm water permit will be needed if the addition even if it only involves phasing.

The County Administrator advised there will be a minimum fee of \$500.00 for a one (1) acre lot, which will be an additional cost above the usual fee.

Mr. Daniel advised the County can implement an agreement in lieu of an erosion plan if the work involves less than one (1) acre for a home site.

Supervisor Weakley advised this concern was addressed by Senator Hanger; therefore, he questioned whether the Board could send a letter to address the costs that will be required for a single family home, as the DCR has indicated a complaint regarding the costs for single family homes.

The County Attorney advised that the General Assembly has already passed the bill associated with this issue.

Mr. Daniel advised that in addition to the April 1, 2013 deadline, the County must also submit a storm water and staffing plan/policy to the State by June 1, 2014 and the plan will need to be ready for implementation by July 21, 2014. In closing, he feels that a Committee can be developed to work out some of the existing issues that are in place.

The County Administrator advised the program is being driven by the federal government.



### **g. School Bathroom Renovations**

Chairman Allen advised the CIP Committee met and that Crabtree, Rohrbaugh Associates, Inc. has developed a proposal that consists of three (3) tiers for renovations to the school restrooms:

- a) Renovate restrooms near the high school auditorium and gym, and the restrooms near the middle school library;
- b) Renovate the student restrooms at the high school; and
- c) Install unisex restrooms in alternate spaces;

Chairman Allen advised the representatives also feel it isn't feasible to repair the restrooms at the high school this year due to HVAC work needing to be done, as some of the ceilings will need to be ripped out. Also, there was discussion to consider the restrooms in the locker rooms at the high school.

James Nelson, School Board member, was present and advised that renovations in the locker rooms will only deal with replacing the toilets – more renovations will be done at a later time.

Chairman Allen and Supervisor Elliott commented on their perception of the information provided at the past meeting of the CIP Committee, during which time it was indicated that total renovations of the locker rooms would be done.

In closing, Chairman Allen suggested some clarification be received on this issue, as renovations at the high school would be placed on hold, with the exception of the restrooms located near the high school auditorium.

Additionally, it was denoted the renovations in Tier one would cost about \$366,000.00 (i.e. restrooms at the high school auditorium and gym; restroom at the middle school library) and the representatives feel the renovations of the locker rooms at the high school and middle school can be done for about \$171,000.00.

Supervisor Elliott wanted to clarify that the renovations would be complete and would meet ADA compliance/compatibility.

Chairman Allen advised there is currently:

- a) \$123,000.00 in the CIP budget (for renovations);
- b) \$248,000.00 (lottery funds); and

That additional funding in the amount of \$160,240.00 will be needed. Also, it has been denoted that all renovation work can be phased and there is enough funding to perform all work denoted in Tier 1 at this time.

Supervisor Butler questioned whether the funding designated for paving can be used for the renovations to the restrooms.



Chairman Allen advised there was a discussion and it was agreed that \$160,420.00 will come out of this year's budget from the CIP fund, and that a proposal will be presented by Crabtree, Rohrbaugh Associates Inc. for work to be done this year.

Supervisor Butler questioned whether a scope of work will be provided, to which Chairman Allen advised must be done before the project is placed out for bid.

Chairman Allen advised that no action will be needed on this issue today; he also clarified that funding can be allocated from the contingency fund and not from the County's fund balance, and advised that more concrete answers will need to be attained regarding the scope of work on the school locker rooms.

#### **h. CIP Funding**

The County Administrator advised that the Madison County School Board would like some clarification on the CIP appropriation, as they want to be sure everything is in proper order. Additionally, a resolution was passed to increase the County's budget to accommodate the twenty-one (21) CIP projects - \$2,500,000.00 can be spent to cover:

- a) Full cost of the bleachers;
- b) Roof replacement;
- c) Soft costs for other projects;

The County Attorney advised that he received a telephone call from the school's Attorney (Mr. Young); an email was sent pertaining to concerns about the wording contained in the resolution and the school board wants to be sure they have the funds before they move forward. Additionally, Mr. Young proposed some new wording, and suggested a request form be in place so the County Administrator can document actual expenditures. Furthermore, he explained the County is committed to the CIP program, but transfers should be done in conjunction with the CIP Committee. In closing, he advised the intent is to appropriate the money based on the bills that are received.

Supervisor Butler verbalized concerns regarding any expenditures exceeding \$30,000.00.

Chairman Allen advised the wording proposed by Mr. Young doesn't eliminate the school system's concerns about the appropriation.

Mr. Nelson explained that the school system can't legally sign a contract until monies have been specifically appropriated. In closing, he advised the Clerk of the Works hired by the school system has several years of service and expertise in dealing with renovation projects.

Supervisor Butler expressed concerns regarding the scope of work and actual costs of the projects, and suggested that more interaction should be implemented between both governing Boards and not just with the County Administrator. In closing, he asked for copies of the minutes of the CIP meetings for review.



Chairman Allen advised the scope of work is being discussed at the CIP meetings and funding has been appropriated for the purchase of the bleachers; therefore, the Superintendent can move forward. In closing, he advised the Board can either take further action on the recommendation at the March Joint Meeting on March 6, 2013 or at the March Regular Meeting on March 12, 2013.

**5. Closed Session**

**a. Closed Session:**

*On motion of Supervisor Butler, second by Supervisor Weakley, the Board convened in a closed session, pursuant to Virginia code Section 2.2-3711(A)(1) pertaining to personnel matters, specifically the Madison County Transfer Station and Madison County Parks & Recreation, with the following vote recorded:*

<i>J. Dave Allen</i>	<i>Aye</i>
<i>Doris G. Lackey</i>	<i>Aye</i>
<i>Jerry J. Butler</i>	<i>Aye</i>
<i>Pete J. Elliott</i>	<i>Aye</i>
<i>Jonathon Weakley</i>	<i>Aye</i>

**b. Return to Open Session:**

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

<i>J. Dave Allen</i>	<i>Aye</i>
<i>Doris G. Lackey</i>	<i>Aye</i>
<i>Jerry J. Butler</i>	<i>Aye</i>
<i>Pete J. Elliott</i>	<i>Aye</i>
<i>Jonathon Weakley</i>	<i>Aye</i>

**c. Motion to Certify:**

*On motion of Supervisor Butler, seconded by Supervisor Weakley, the Board moved to certify by roll call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code 2.2-3711(A)(1), and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, with the following vote recorded:*

<i>J. Dave Allen</i>	<i>Aye</i>
<i>Doris G. Lackey</i>	<i>Aye</i>
<i>Jerry J. Butler</i>	<i>Aye</i>
<i>Pete J. Elliott</i>	<i>Aye</i>
<i>Jonathon Weakley</i>	<i>Aye</i>

\*No action was taken as a result of closed session\*



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

### **National Park Service**

Chairman Allen advised the County Administrator has been asked to meet with the Regional Director of the National Park Service on Friday in Philadelphia, Pennsylvania.

### **Madison County Eagle**

Don Richeson, Editor of the Madison Eagle, introduced the new Reporter, Courtney Griffin, to the Madison County Board of Supervisors.

### **Hoover Ridge**

Supervisor Elliott questioned the clearing work being done at Hoover Ridge and whether this work was placed out for bid.

The County Administrator advised the work being performed fell beneath the threshold and didn't need to be bid out. In closing, he advised that Carlyle Weaver of Weaver Works, Inc. was paid \$600.00 to perform the work, and donated the money back to the money back to the Madison County Park & Recreation Authority.

Supervisor Weakley provided a list of projects that has been drafted by the PRA; he also advised that much of the labor will be donated, as there are many volunteers involved. In closing, he advised the PRA may look into forming a sub-committee to participate in some work sessions.

### **Main Street Committee**

The County Administrator advised that the Main Street Committee is trying to meet on Wednesday, February 27, 2013 at 7:00 p.m.; the Rappahannock Electric Cooperative has authorized the placement of banners along Main Street to advertise County events and the County will be able to use poles that are in place; he will speak with Mr. Steve Grayson (Stellar One) to assess whether the bank will allow for the placement of a pole on their property by REC representatives who will donate their labor. Additionally, lights can be put into place and large flags can be used in accordance with VDOT regulations. Early Mountain Vineyards has agreed to donate trees.

### **Shenandoah National Park**

The County Administrator advised he will be meeting with VDOT representatives to discuss the road to the Shenandoah National Park.

### **Miscellaneous Concerns**

- a. The County Administrator also advised that a large business is looking to come to the County, but they'd like fewer parking spaces than what the County's Zoning Ordinance requires.
- b. The County Administrator also advised the Thomas Jefferson Partnership for Economic Development Partnership (TJPED) has endorsed the initiative for the road, and the PD9 will endorse the endeavor later this week.



- c. The County Attorney read a proposed motion for review regarding the CIP funding.
- d. Chairman Allen advised the State is planning to give its employees a three percent (3%) salary increase (to include the Constitutional Officers); the school system is requesting a two percent (2%) salary increase for school personnel, if the County commits.
- e. Chairman Allen advised that Tina Cropp, School Finance Officer, has submitted some expenditure reports and it appears the school system has spent about forty-eight percent (48%) of their budget. Additionally, the teachers are being paid in twelve (12) installments – their work year begins in September and the school system has spent about forty-two percent (42%) of these funds (June payroll includes July and August). In closing, he advised the school system will have about \$610,000.00 left in their budget, which can be re-appropriated to provide them with the funding amount they are requesting.
- f. Supervisor Elliott advised the school system wants to push the paving project to the front of the CIP list of projects; however, if this is held off and change orders are brought forth for the renovations, there will be some funds to fall back on. In closing, he advised the supports the paving at the primary school where there is a drainage problem.
- g. The County Attorney advised the Commission of the Revenue would like the proposed Ordinance for the Tax Deferral for the Elderly & Handicapped to be effective April 1, 2013; therefore, he advised the Board may need to adopt the Ordinance on the night of the public hearing and make it retroactive to January 1, 2013. In closing, he advised the authorization for local Veterans will fall under a separate section of the State Code.
- h. The County Administrator advised the current job vacancy (Accounts Payable Technician) has been posted internally and externally, on the VACo website and in the Madison Eagle. Also, Waste Management Services, Inc. would like a person in place at the scale house by May 1, 2013.
- i. The County Administrator also advised that he is working on implementing a schedule for the lights at the courthouse (i.e. dawn to dusk) and may put smaller lights in place.
- j. Supervisor Elliott verbalized concerns that the circle at Court Square may actually belong to someone other than the County.



**7. 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

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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: April 9, 2013

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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