

MEETING #36 – October 28

At a Workshop Meeting of the Madison County Board of Supervisors on Monday, October 28, 2013 at 2:00 p.m. in the War Memorial Building, 2nd Floor Conference Room located at 2 & 4 Main Street:

PRESENT: J. Dave Allen, Chairman
Doris G. Lackey, Vice-Chair
Jerry J. Butler, Member
Pete J. Elliott, Member
Jonathon Weakley, Member
V. R. Shackelford, III, County Attorney
Ernie Hoch, County Administrator
Phillip Tartaglia, Finance Director
Jacqueline S. Frye, Clerk of the Board

Workshop Meeting Agenda:

1. Call to Order/Determine the Presence of a Quorum

Chairman Allen called the meeting to order; 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 asked all to lift the Dixon Family in prayer.

3. Adopt Agenda:

Chairman Allen advised there is no need for a closed session during today's session; he called for any additions, deletions or corrections to today's Agenda.

Supervisor Lackey moved today's Agenda be adopted as presented, seconded by Supervisor Weakley, 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 [Fund 10] (September – FY2014)]*
The following concerns were noted on:
 - a) *Page 26 (expenditure for Seed Supply for a public hearing)*
This will be researched and resubmitted to the Board for review.

- ii. Certificate of Claims [Tourism Enhancement [Fund 11] (September – FY2014)]*
- iii. Certificate of Claims [Debt Service [Fund 40] (September – FY2014)]*
- iv. Supplemental Requests [General Operations (September 2013 – FY2014)]*

b. Minutes #33 through #35

Supervisor Lackey advised of a correction and question on:

- i. Minutes #33
 - Supervisor’s Monthly Meetings Attended (page 8)
- ii. Minutes #35
 - Changes to the Transfer Station - (page 8)
 - Motion pertaining to the lease agreement [purchase of the cars] - (page 8)
 - Motion pertaining to the MOU for the rescue squad - (page 10)

Staff was asked to review and resubmit for review/advisement.

c. Journey Through Hallowed Ground

Kate McGennis-Wyatt, President of the JTHG Partnership, was present and provided a verbal overview and slide presentation of what the JTHGP has been doing within the past year; the JTHGP has the largest concentration of historical acreage (180 miles) on the national registry and has taken a stance to ensure that our historical heritage will not be forgotten. A business plan was adopted in April 2012 that called for the JTHGP to create local, regional and national awareness of the historical events that transpired along the ‘journey.’ Opportunities are available to attract tourism here that will bring for the dollars into various communities, thus improving the quality of life for many. Efforts are being made in order to make the ‘journey’ a memorable travel experience.

All Superintendents of the National Parks have also been working collaboratively; programs currently in place include:

- The National Heritage
- Summer Camp
- Of the Student, By the Student, For the Student (in classroom)
- The Living Legacy Tree Planting Project (planting a tree for each soldier lost during the Civil War)

A packet was also provided to all members for review; Madison County is being marketed in Germany through a designated marketing committee; a map was provided to show the various places along the ‘journey’; a travel guide booklet has been published and will be reprinted shortly. The JTHGP has selected specific types of trees that will bloom during each season – about \$1,200,000.00 has already been raised to fund the planting effort; each tree will be ‘geo tagged’ to denote:

- i. Soldier’s Name
- ii. Place of Death
- iii. How he died
- iv. Letters/diary

A pilot program is being initiated nationally within the schools to make students aware of men from their communities who fought/died during the Civil War – trees are being planted in memory of those lost in various communities; the Board members were invited to attend a celebration to be held in Gettysburg, Virginia on November 19, 2013.

The JTHGP has also initiated “way finding” program (i.e. signage) so folks will know they’re within a national heritage area and on a national scenic by-way. She also advised that trees will be planted to ‘unknown’ soldiers and a marker will display “Known Only to God”. Also, due to the amount of space required to plant all the trees, groves will also be planted – she asked the Board for ideas as to where groves can be planted and be open to public access – there is no regulatory control regarding the National Heritage Area of the National Scenic Byway.....homeowners along Route 15 will be asked if they’d like trees planted – if applicable, they will be planted along the frontage property. Additionally, funding of \$100.00 per tree will be budgeted to maintain and/or replace any tree.

Ms. Wyatt advised there isn’t much information on names of soldiers who were specifically from Madison County.

Ms. Wyatt asked for a general contribution from the Town of Madison (\$500.00) and the County of Madison (\$1,563.00) which is based on eleven cents (.11) per capital for our locality; all participating localities have the ability to opt in or opt out. If the County agrees to the funding request, these funds will be sought out of next years’ budget. No communities have been asked to contribute toward the purchase of the trees; corporate funding is being sought.

It was advised that Mr. Harold Woodward, local author, may be able to provide input on this matter; it was also questioned if soldiers who died in the Battle at Jacks Shop could be remembered during the tree planting project; and whether funding from the transient occupancy fund could be used to fund today’s request.

All funding donated for the tree planting effort is grouped together, but all participating localities will benefit from these funds. It was also advised that any private landowner who wants their property denoted along the journey will have their privacy infringed upon; therefore, she suggested facilities be situated in certain places so as not to have visitors coming upon private property.

It was also questioned what problems would come forth in the event VDOT decided to widen the roadway after the trees have been planted.

Ms. Wyatt advised that VDOT, the Maryland DOT and the Pennsylvania DOT have all been consensual; research is being done regarding possible road expansions – there will be no trees planted where there is to be any potential roadway expansions.

After discussion, it was the consensus of the Board to at today’s Resolution to the Agenda for the November Regular Meeting.

d. Adjustment to Rescue Squad MOU

The County Administrator advised change has been submitted by the Squad’s legal counsel for review by the County which denotes:

“The County shall also have a first option to purchase the new building and real property at the then current appraised value, less 100% of any funds provided by the County for this project. If the County purchases the new building and real property for the then current appraised value, less 110% of any funds provided by the County for the project, the Squad shall not be required to return any additional funds to the County.”

The County Attorney has reviewed the proposed change; the Board was also asked to review and provide input on the proposed change.

The County Administrator advised that a new vote will be needed to accept the amendment, although the wording doesn't change the original intent as denoted in the original MOU.

After discussion, it was the consensus of the Board to add this to the Agenda for the November Regular Meeting for discussion/action.

e. Sheriff's Office (Equipment Needs)

The County Administrator provided a hand out of equipment needed at the Sheriff's Office; today's handout shows the Sheriff's Budget with three (3) line items (#3323 [Maintenance & Support]), #6010 [(Police Supplies)]; and #8103 [Equipment]) – the amount of funding that has been spent (on maintenance, equipment, fuel, etc.) and what's currently remaining in each line item. Information was also provided from FY2007 to the present to denote the difference in budgetary funding between the past several years.

The Sheriff was present and advised the vendor has advised the equipment needed is no longer available; a new proposal will need to be initiated. Current repairs needed at the Sheriff's Office include:

- Security in the holding cells
- Security of the doors
- Sally port door doesn't open/close
- No intercom in the holding cells
- Repair/replacement of radar guns

Robert Finks, Director of Emergency Communications, advised that representatives from Clark Securities, Inc. provided pricing for what they could do to assist the County with the existing system; it has been discovered the entire control box has expired and the vendor no longer makes this item; patching has been done in the past, but it's felt that a full replacement will be needed.

After discussion, the Board members questioned whether:

- a) Pricing be sought for patching and/or replacement in order to make an appropriate comparison;
- b) Replacement equipment could be incorporated into the next budget cycle;

Currently, repairs have been made to a camera in one (1) holding cell; cameras outside need to be repaired; the system was deemed inadequate after it was installed (2003), although it's currently operational; parts needed to repair the existing system are no longer being manufactured. The existing system operates:

- Opening/closing of doors
- Opening/closing of the sally port door

- The intercom system

The County Administrator advised there is some funding available (\$5,500.00) that can be used for the repair/replacement of the current system; pricing will need to be attained for review and advisement; there is also funding available for the purchase of radar guns that are also needed.

The Sheriff advised there will be a need to maintain the older vehicles – ammunition has also been ordered (\$3,000.00 – State Bid pricing); many of the existing bullet proof vests will be expiring and will need to be replaced (\$800.00 - \$900.00 per vest) – additional funding will be required to cover this purchase (ten [10] vests). Currently there are about eight (8) radar guns that currently work appropriately. An existing federal grant totaling \$171,000.00 will be made available (from October 2013 through September 2014).

Concerns verbalized by the Board included:

- If the County could place some funding into the highway safety line item for the purchase of equipment and operation of the fund;
- Whether an asset management program could be put into place to assess the life expectancy of various types of equipment

The County Administrator advised that changes can be incorporated during the upcoming budget year; a budget line item can be added to denote ‘police supplies’ and ‘maintenance of highway safety.’ He also advised that department’s should be looking that these types of concerns (i.e. equipment life expectancy) when they’re planning their departmental budget; he’s currently working on developing a plan for maintenance details on County owned vehicles.

The Sheriff advised the existing radar equipment does need to be tested and recalibrated – the cost is about \$300.00 to \$400.00 each; equipment is shared among the Deputies; there are other costs associated with the highway safety program; equipment maintenance contracts and upgrades are also required; funding promised by Mr. Cuccinelli still hasn’t been received to date; it has been reported that monies received in FY2013 (State) will not be available in FY2014.

The Sheriff advised he recently attended a seminar, during which time the issues at a school in Connecticut were addressed; it was advised that simple safety precautionary measures could’ve possibly prevented the tragedy (i.e. no locking system; no safety glass; keying system inadequate). He feels that school administration should be urged to take precautionary measures to keep our students safe, as a tragic incident can occur anywhere, even in Madison County.

The County Administrator advised he will be meeting with the Superintendent on Wednesday; the school system recently received a matching grant (\$125,000.00 with matching \$25,000.00 [from the school system]) for school security (i.e. fiber and cameras in all schools tied to the dispatch center) – deadline on the grant is March 2014; he will work with school officials to assist with the grant application process, bidding process and purchasing – the \$25,000.00 match (required of the school system) will be factored in. The plan is to have cameras connected into the dispatch center so personnel can have life shot cameras at each school campus.

Currently, calls coming in from the school system show no identification as to where the call is being made from; the school system currently operates with two (2) separate telephone systems (Verizon

& NTELOS); the proposed fiber being offered by the grant should resolve the problem and allow the school and County to be on the same system.

The County Administrator advised the school system attained pricing bids for fiber – the grant amount being sought will be sufficient; it's anticipated the operation will involve the intranet and allow both entities to be connected, and possibly eliminate the need for the existing radios (over time) that are outdates; the service will run of the poles put into place by the REC.

f. Commonwealth Attorney Funding Request (capital murder case)

The County Administrator advised the Commonwealth Attorney is requesting to hire a paralegal to begin/continue ongoing proceedings on the current capital murder case; court date has been set for September 2014; Mr. Webb is working to ensure the case remains in Madison County; however, there will be other costs anticipated with this type of case. Conversations have been held with other jurisdictions, the Attorney General and other localities to assess what help the Commonwealth can provide regarding costs the municipalities will have to bear. To date, it has been advising that special prosecutors and transportation may be covered, but many costs will fall either on the tax payers, as this type of case will involve special prosecution.

The Sheriff advised if the case is moved to Newport News, Virginia, this will be a tremendous expense for the County (i.e. transportation, lodging, meals, witness interviews/testimony, possible sequestering of the appointed Jury, etc.).

Concerns verbalized by the Board involved:

- The fee per hour (for the paralegal)
- What's the responsibility of the locality
- What will be the total overall costs

The County Administrator advised the Commonwealth Attorney did know about unforeseen costs (during the last budget session), but was unsure when the trial date would be set; the defendant is in the regional jail and Mr. Webb is fighting to keep the trial in Madison County. More information will be discussed during the upcoming budgetary cycle. However, if the current trial date should be changed, additional costs will be involved.

The Sheriff advised that he has conversed with Glenn Aylor, Jail Superintendent; he has agreed to allow jail personnel to assist with security procedures.

The County Administrator advised the paralegal will be paid as an outside contractor; a request will be provided by the Commonwealth Attorney for payment (by invoice) for hours worked; the total amount being request is \$56,160.00 (no benefits included). He also explained the paralegal will assist Mr. Webb and Mr. Reid with preparing the case and attaining various types of evidence needed to present the case.

It was also advised the rate of \$45.00 per hour for the paralegal (although the individual is an attorney) is a relatively good rate; it was also advised this type of issue wouldn't fall under the County's procurement policy (as Mr. Webb is actually hiring an individual at an hourly rate).

The County Attorney advised that \$45.00 per hour is an excellent rate for an Attorney; the individual helped with the recent prosecution of a case in Greene County, in which he was very successful; he asked if there was any investigation as to what Greene County had to pay during their previous case.

The County Administrator advised the case in Greene County wasn't a capital murder case (murder case only); he did converse with a representative from Prince William County (where there have been several capital murder cases); Mr. Webb is researching, but nothing has been determined yet. Although there is some help with some of the items involved, there will ultimately be some expenses that will not be covered and the Compensation Board has advised they will not provide funding. He will discuss the issue with the Greene County Administrator to gain input as to how the fees were handled in their jurisdiction

Chairman Allen advised asked if the Board had further concerns to be considered on this issue prior to the November Regular Meeting.

Input from the Board members involved the following:

- Supervisor Lackey: Pursue every possible avenue to attain State assistance.
- Supervisor Butler: There are firms that work out of Charlottesville, VA on capital murder case (for defense of prosecution); he suggested this be investigated; why was this particular individual sought.
- Supervisor Elliott: Concerned about the amount of money being requested.
- Supervisor Weakley: Concerned about the amount of money; also feels the County Administrator should look into the overall costs involved; will the money being requested be released all at once or by expenditure.

The County Administrator advised the money would be released by invoice submitted by the Commonwealth Attorney (i.e. bi-weekly or monthly).

It was also advised that should a plea bargain come into place, time will be added.

After discussion, it was the consensus of the Board to add this to the Agenda for the November Regular Meeting for discussion/action.

5. Closed Session (if necessary)

None.

6. Information & Correspondence (if any)

Citizen Inquiry

Supervisor Weakley advised he was contacted by Ms. Jayne Anderson; she was concerned that she paid \$75.00 for a hangtag in the past and now they're being offered to citizens free of charge; she suggested that all citizens who paid for hangtags in the past should receive a credit on their tax bills; she was informed the past costs were budget mechanisms to help balance the past budget and have already come to fruition. She also suggested the County return to using County stickers instead; she was advised the choice to utilize hangtags was done at the Board level, and that they have already been purchased for use by the citizens. This idea could always be considered during the future budgetary

process. Apparently the citizen entered the landfill without her hangtag; she was advised that entrance could be granted upon providing her landfill tag number, name and/or address.

The County Administrator looked into using decals versus hangtags; questioned where decals would be placed on the vehicle; the payment for the original hangtag (\$75.00) was only for one (1) year of service.

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

J. Dave Allen, Chairman
 Madison County Board of Supervisors

Jacqueline S. Frye, Clerk of the Board

Adopted on: December 10, 2013

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



Madison County Board of Supervisors
Workshop Session Agenda
October 28, 2013 at 2:00 p.m.
2 & 4 Main Street, Madison, Virginia

Agenda

1. Call to Order
2. ***Pledge of Allegiance & Moment of Silence***
3. Adopt Agenda
4. **Agenda Items**
 - a) Financial Review
 - i) Certificate of Claims [General Operations [Fund 10] (September – FY2014)]*
 - ii) Certificate of Claims [Tourism Enhancement [Fund 11] (September – FY2014)]*
 - iii) Certificate of Claims [Debt Service [Fund 40] (September – FY2014)]*
 - iv) Supplemental Requests [General Operations (September 2013 – FY2014)]*
 - b) Minutes:
 - i.#33 through #35
 - c) Journey Through Hallowed Ground
 - d) Adjustment to Rescue Squad MOU
 - e) Sheriff's Office (Equipment Needs)
 - f) Commonwealth Attorney Funding Request (capital murder case)
5. Closed Session: (If needed)
6. Information & Correspondence (if any)
7. Adjournment