

MADISON COUNTY BOARD OF SUPERVISORS MEETING

Date: 6:00 PM — Tuesday, February 28th, 2023

Location: Admin. Building Auditorium, 414 N. Main Street

MEETING #10 — February 28th

At a regular meeting of the Board of Supervisors on Tuesday, February 28th at 6:00 PM in the Admin. Building Auditorium:

PRESENT: R. Clay Jackson, Chair
Carty Yowell, Vice-Chair
Charlotte Hoffman, Member
Dustin Dawson, Member
James Jewett, Member
Jonathon Weakley, County Administrator
Sean Gregg, County Attorney
Kimberly Turner, Executive Administrative Assistant/ Deputy Clerk

ABSENT:

CALL TO ORDER, PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Chairman Jackson called the Board to order.

DETERMINE PRESENCE OF A QUORUM/ADOPTION OF AGENDA

Chairman Jackson advised that a quorum was present.

Supervisor Hoffman made a motion to approve the agenda as presented, seconded by Supervisor Dawson. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

PUBLIC COMMENT

Jason Summers: Mr. Summers is a business owner in Madison County. He is the owner of a company called ARiA which is a research and development company. Mr. Summers is requesting the Board of Supervisors to sign a letter of support to be sent to the federal representatives and senators regarding Section 174 of the Tax Codes.

- *Chairman Jackson stated that Tracey Gardner, Economic Development & Tourism Director, provided the drafted letter of support. Chairman Jackson asked the County Attorney if the Board chose to support this, do they need to send the letter from the Board as a whole.*

The County Attorney confirmed it would have to be from the Board as a whole. He also advised the Board to not take immediate action due to it being public comment, and it can be brought back at another meeting.

The County Administrator informed the Board that he has been in communication with Mrs. Gardner, and he encouraged Mr. Summers to come to the meeting tonight to make a public comment to formally make the Board aware of his request. The County Administrator would like the County Attorney and himself to look at Section 174 of the Tax Codes and talk to the town representatives regarding this before they completed the letter of support.

- *Chairman Jackson asked Mr. Summers if he planned to bring this to the Town of Madison as well.*

Mr. Summers stated that he already reached out to the Town of Madison.

- *Chairman Jackson inquired about the timeline for the letter request.*

Mr. Summers stated that the filing deadline is March 15th, 2023.

- *Chairman Jackson asked Mr. Summers if he thinks a letter from the Board would make much of a difference by March 15th.*

Mr. Summer responded that he spoke with Representative Spanberger's people, and they informed him that the more support, the better.

- *Supervisor Yowell asked Mr. Summers if this was his first year experiencing this challenge.*

Mr. Summers clarified that 2022 was the first year it went into effect.

- *Chairman Jackson asked if the company was open at the post office.*

Mr. Summers stated they stopped their renovations due to this issue to preserve money. Mr. Summers explained what they do at ARiA in more detail. They are a research and development company that supports the Department of Defense. One example he shared was they work on sonar algorithms that go on Navy ships or algorithms that help the Missile Defense Administration. Their average salary is \$150,000.

- *Chairman Jackson inquired where the company was located while they wait for renovations to resume.*

Mr. Summers stated they are in Culpeper.

- *The Supervisors agreed they would like the County Administrator, the County Attorney, and Mrs. Gardner to look further into this and have the Board come back to it at another meeting.*

CONSENT AGENDA

1. Approve: Minutes from 02-09-23

2. Approve: Minutes from 02-14-23
3. Approve: Supplemental Appropriation- School

The County Administrator stated he met with the Finance Director that morning. The Finance Director and the Treasurer went through and verified the funding and numbers, which are accurate. This Supplemental Appropriation is a request that the school asked for at their School Board Meeting.

- *Supervisor Yowell commented that he noticed it was all revenue and expense offset.*

The County Administrator stated that out of the requested \$475,820.09 they are requesting that \$171,428 be from the local funds that were turned in from last year's left-over money. He also stated that on Thursday, the Board will hear their capital request. The money they plan to add, which is roughly \$810,000 is remaining from their school construction funds which they want to put toward an air handling unit and other chillers so the Board will see the \$171,428 number again in their request.

Supervisor Yowell made a motion to approve the consent agenda as presented, seconded by Supervisor Hoffman. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

OLD BUSINESS

4. VRA Consent Agreement

The County Administrator stated he wanted to thank the County Attorney for his work on this. They have received notice that Greene County has passed it and RSA, at their last meeting, passed it as well. The County Administrator saw a copy of this form with RSA's Executive Director's signature.

The County Attorney stated that they hope it is settled by the 15th of March, but it depends if it is on the State Corporation Commission's desk. He stated it takes two or three days for them to complete it. Once the Board signed the document presented today, it will be forwarded. Orange County is also completing their acknowledgment of the consent agreement at their meeting this afternoon as well. All that remains is getting the State Corporation Commission (SCC) to sign off.

The County Administrator confirmed that the Board's approval is necessary before getting the SCC signature.

The County Attorney added that VRA is eager to approve so Greene County can operate its water system and RSA will remain with Orange and Madison County.

- *Supervisor Yowell stated that in article 1.01 and 1.02, VRA still had conditions, but none of which the Board should be concerned about.*

Supervisor Yowell made a motion to approve the VRA Consent Agreement as presented, seconded by Supervisor Dawson. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

The County Attorney asked if the motion is directing the Chairman to execute the VRA Consent Agreement on behalf of Madison County.

Supervisor Yowell made another motion to direct the Chairman to execute the VRA Consent Agreement on behalf of Madison County, seconded by Supervisor Hoffman. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

5. Radio Project Update

The County Administrator stated the Mr. Gordon, the Director of Emergency Communication, received information from Motorola that morning, which is why there was not a form in the agenda packet, but the form was presented on the projector screen. The County Administrator asked Mr. Gordon to share with the Board the progress and what he has evaluated.

Mr. Gordon stated they presented at the Planning Commission meeting to give an update on the Churchill site where they were met with some opposition. The following day, Mr. Gordon and the County Administrator went looking at other options. The folks in the area want the tower and the communication but did not like the location of the tower. Upon looking for another spot, they found three different locations. Mr. Gordon explained the microwave path survey, which was shown on the projector. Due to the measurements, the other locations would require a lit tower, which they would like to avoid. Mr. Gordon was made aware of a fourth option, which he is going to pursue, but it doesn't look too promising based on preliminary numbers. Mr. Gordon stated they are trying to do everything they can to do right by everyone.

The County Administrator reminded the Board that the balloon test is scheduled for March 14th with rain days being the 15th or the 16th and that is for the current Churchill site.

Mr. Gordon stated they will have to do another balloon test at some point, but the finish line for the project is still August of 2024.

- *Chairman Jackson stated the tower is for public safety and the tower will going up in Etlan somewhere. He stated that there was opposition at the Planning Commission meeting, and he believes everybody is hoping the balloon test proves that the tower will not be an eyesore or provide health risk. He encouraged Mr. Gordon to continue to investigate any possible sites.*

The County Administrator and Mr. Gordon agreed they would be interested in looking at various landowner's vantage points of the balloon to have a better idea of their view if a tower was placed there.

- *Supervisor Yowell confirmed that the balloon test was to take place between 10:00 am-2:00 pm and wanted to know if there was a possibility to do it longer.*

Mr. Gordon stated he would investigate the cost if they prolonged the time till 4:00 pm.

The County Attorney added that they only would run into legal issues if they were conducting the test in a shorter time, not a longer one than originally advertised.

Mr. Gordon encouraged the Board to send anyone that would be interested in having a tower site on their property to him. Mr. Gordon wants to do right by everyone, but he also doesn't want to put first responders in an unsafe situation due to poor communication.

- *Supervisor Yowell asked if this site is not in place, can they still fire up the radio system.*

Mr. Gordon stated that they can, but they would lose a large percentage of coverage.

- *Chairman Jackson asked if there is a delay in this site will the other sites be turned on as scheduled or will they also be delayed. He stated a tower is going up in Etlan, but he wanted to know how this site would affect the whole process if delayed due to looking at other sites.*

Mr. Gordon stated the reason they want to start it all at once is because they do not want to have to pay the Microwave folks more than once to compare and set dishes.

NEW BUSINESS

6. Madison Day Request

The County Administrator shared the details of the Madison Day Event. Karen Coppage is requesting all tipping fees and any needed permits for Madison Day to be waived.

- *Supervisor Yowell inquired the timeline for requesting permit fees for the projects and how many permits they may need.*

The County Administrator stated they would have to do them ahead of time. He stated he can get an update from Karen regarding how many permit fees they may need.

- *Chairman Jackson advised the Board to move forward with this due to the positive impact Madison Day brings to the Madison Community.*

Supervisor Yowell made a motion to approve waiving the permit and tipping fees for the Madison Day event, seconded by Supervisor Hoffman. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

7. EMS Lease Request

The County Administrator stated he met with David James and the current lease runs out May 1st of this year. The County Administrator handed out the 12-month renewal, with a 90-day termination proposal lease with no increase of rent payment. The County Administrator stated the lease listed in the agenda packet is the old lease posted so the Board can use it to compare.

The County Attorney said the lease was changed to a month-to-month lease as opposed to a one-year lease with subsequent renewals if needed. They also have a 90 day opt-out incase construction moves quickly; they will have the ability to end the contract earlier if needed.

- *Supervisor Yowell inquired if changing to a month-to-month contract rather than a one-year lease would give Mr. James the ability to ask them to leave early. He didn't see that as an option on the new lease but wanted to confirm.*

The County Attorney stated that was correct.

The County Administrator believes Mr. James wouldn't be looking to ask them to leave. It's a big commercial space and EMS is a guaranteed customer.

The County Attorney stated, he left in the lease, that it can be renewed for three successive years if necessary.

- *Chairman Jackson advised leaving that in the lease as insurance.*

Supervisor Yowell made a motion to authorize the Chairman to execute the lease agreement with Mr. and Mrs. James, seconded by Supervisor Dawson. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

8. EMS Renovation Report

The County Administrator stated the report in the agenda packet was received last week. Over the weekend, he made some quick calculations and adjustments that may be applicable for their consideration. They had several site visits from Virginia A&E, which is a wing of the Hurt and Proffitt Engineering Service Agreement. The amount of asbestos that was found in the building after the report was very minimum. When the Renovation Committee met, which is made up of county staff, Supervisor Hoffman, and Supervisor Dawson, they discussed layout options. There were three layout options that were proposed. Option one is renovating the former Rescue Squad building, which is the County Administrators recommendation. The County Administrator went through the building layout for option one. Option two was tearing down the back portion of the building, leveling grade and bringing it back up, which had an additional cost estimate. Option three is a complete tear down and a rebuild, which was the most expensive. Option one was estimated at 1.35 million, option two was at 2.25 million, and option three was at 3.65 million. The County Administrator reviewed the forms he prepared and handed out to the Board that had his notes regarding a cost estimate for demolition/renovations and his recommendations.

- *Chairman Jackson and Supervisor Dawson went and looked at the building before the meeting and gave feedback on items they felt needed to be renovated and items they did not feel needed to be renovated.*

The County Administrator made notes regarding their suggestions. The County Administrator commented that he needed to recreate a total now that he has the Boards feedback. Regarding the

hoseless exhaust system, the County Administrator would like more information to see if there are different options.

- *Supervisor Dawson inquired if the clean burn vehicles needed the exhaust piece.*

The County Administrator stated that it's recommended that all future purchases be the clean burn for new ambulance.

- *Chairman Jackson stated that they still need to get rid of some exhaust fumes.*

The County Administrator agreed and commented that he would like to look at different options. He clarified that he doesn't want to ignore the exhaust issue but wants to see if there is a better solution. The County Administrator stated that they talked to the building official regarding the wet pipe sprinkler system and was informed it was not a requirement because they are not changing the use of the space. The County Administrator asked if the Board wanted to leave the existing hot water heaters.

- *Chairman Jackson stated that the current 30-gallon heater in the bay needed to be replaced.*

The County Administrator agreed but thought the one in the bunk room would be fine.

- *Chairman Jackson agreed.*

The County Administrator recommended using PEX for piping rather than copper. The County Administrator is proposing to keep the existing generator as well. He then asked the EMS staff, who were present, if they had anything to add.

Mr. Helme stated they needed a new automatic transfer switch (ATS).

- *Supervisor Dawson inquired exploring a grant to pay for this.*

Mr. Helme stated he could see if the SHSB Grant, which is the State Homeland Security Program, would cover it.

- *Supervisor Dawson stated he would like clarification on what it means when it states, "rework divided brand circuits". The amount of money listed seemed like a lot to him.*

The County Administrator stated he was making a note and would touch base with the engineering firm.

- *Chairman Jackson stated the radio room needed to be cleaned up.*

- *Supervisor Dawson agreed and recommended getting the cabinet out of the room so there is more working space.*

The County Administrator went over his estimate of the total renovation cost. The County Administrator asked the Board if they had any feedback. Next steps will be for the Board to authorize them to secure an engineering service to get them to a design and a bid package.

The Supervisors agreed that the County Administrator did a great job preparing the reports.

The County Administrator wanted to make the Board aware that option two did offer an option where the offices were away from the road, which was appealing. He asked for the EMS folk's feedback.

Mr. Helme stated he preferred option two if money was not a factor. He also inquired about renovation to the siding of the building.

The County Administrator stated it was not currently in the report. The County Administrator thought some of the funding in the sheet would cover replacing panels where there were holes in the back. He asked the Board if they wanted to add any aesthetics on the front of the building.

- *Chairman Jackson stated that any areas that are damaged need to be replaced. He also believed the building needs to be power washed and cleaned up before they can make a clear evaluation. Chairman Jackson stated that power washing and new paint will make a large difference. He would like to save money in any way possible if it is not necessary. Chairman Jackson advised putting it in the CIP Report to discuss at the Thursday Budget Meeting.*

DISCUSSION

9. DHCD/Brightspeed MOU Update

The County Administrator stated he has been working on getting the MOU signed so they know what Broadband is going to look like in the Wolftown-Hood area. They had two challenged areas in the first VATI Grant application. The northern part has been figured out and the other area is tied into the VATI 2023 Grant. The Wolftown-Hood area was challenged, and the internet server was formerly owned by CenturyLink, and then Lumens, and now they are owned by Brightspeed. The DACD Board gave the County Administrator authority to sign the MOU once it is completed. The County Administrator spoke with David Blunt, who is with the Thomas Jefferson Planning District Commission and requested he keep him in the loop. He is hopeful to get it signed soon.

10. Local Assistance and Tribal Consistency Fund (LATCF)

The County Administrator stated that counties that were faced with any kind of negative impact of funding during Covid qualified for funding. Madison County's share is \$100,000 and the county can use it for any project they would like. The County Administrator proposed pledging this funding to the EMS renovation.

- *The Supervisors agreed.*

The County Administrator asked Supervisor Hoffman about a VDOT concern she wanted to bring up.

- *Supervisor Hoffman received a request for a speed study on Beautiful Run Road due to excessive speeding. The citizen who reached out, stated there weren't any posted speed limit signs.*

The County Administrator stated he would make the request to VDOT.

- *Chairman Jackson inquired if Ms. Shepard was back from maternity leave.*

The County Administrator stated he didn't think so, but he would reach out to Ed San Nicolas from VDOT with the citizen's concern.

- *Supervisor Hoffman requested to be kept in the loop regarding the status of the situation.*

INFORMATION/CORRESPONDENCE

PUBLIC COMMENT

Chairman Jackson opened the floor for public comment. With there being no public comment being brought forward, the public comment opportunity was closed.

CLOSED SESSION

Supervisor Yowell made a motion to convene in closed session pursuant to Virginia Code Sections:

- 3.2-3711(A)(1) for personal
- 3.2-3711(A)(7) for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation.
- 3.2-3711(A)(29) for discussion of the award of a public contract.

Seconded by Supervisor Hoffman. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0)***

Supervisor Yowell made a motion to re-convene the Board in Open Session, seconded by Supervisor Hoffman. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

Supervisor Yowell made a motion to certify by roll-call vote that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A)(1), 2.2-3711(A)(7), and 2.2-3711(A)(29) that were identified in the motion to convene in closed session were heard, discussed, or considered in the closed meeting, seconded by Supervisor Hoffman. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

As a result of the Closed Session, the Board took the following action(s):

Supervisor Yowell made a motion to authorize the Chairman to finalize and execute the contract for Hannon Wright to provide legal services for the County of Madison, seconded by Supervisor Hoffman. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

ADJOURN

With there being no further business to conduct, Supervisor Dawson made a motion to adjourn, seconded by Supervisor Jewett. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*