

MADISON COUNTY BOARD OF SUPERVISORS MEETING

Date: 4:00 PM — Tuesday, April 11th, 2023
Location: Admin. Building Auditorium, 414 N. Main Street

MEETING #18 — April 11th, 2023

At a regular meeting of the Board of Supervisors on Tuesday, April 11th at 4:00 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
Hannon Wright, 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.

Chairman Jackson advised for two changes to the agenda.

ADDED:

- 1a. Special Appearances -- Public Safety Telecommunicators Week Proclamation**
- 13. Information/Correspondence —Opioid Abatement Authority Grant**

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

PUBLIC COMMENT

Kari Gaviria: Ms. Gaviria asked the Board to consider paving the remainder of Clore Road during the Secondary Six-Year Road Plan discussion. Ms. Gaviria stated she has provided a letter, which is in the agenda packet.

CONSTITUTIONAL OFFICERS, COUNTY DEPARTMENTS, COMMITTEES & ORGANIZATIONS

No oral presentations/reports were presented. Reports can be found in the agenda packet.

CONSENT AGENDA

1. Approve Minutes from 03-28-23 and 04-05-23.

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

SPECIAL APPEARANCES

1a. Public Safety Telecommunicators' Week Proclamation

Chairman Jackson read a letter requesting to honor Public Safety Telecommunicators' Week in the County the week of April 9th -15th, 2023.

Supervisor Hoffman made a motion to approve the proclamation for Public Safety Telecommunicators' Week, seconded by Supervisor Yowell.

Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).

- *Supervisors Yowell stated that Emergency Medical Services were needed this past week at his neighbor's house. Sadly, his neighbor did pass, but his neighbor's loved ones wanted to thank the first responders for their quick response.*

2. Blue Ridge Governor School Student Report – Carter Rees

The County Administrator gave a brief introduction for Mr. Rees.

Carter Rees gave a presentation on his Blue Ridge Governor School project. Mr. Rees' presentation was themed Parks and Preservation with his overall topic being expansion. Mr. Rees' project focused on researching how expansion of an area influences the habitats and nature surrounding it, and ways we can deal with those effects. During his project, Mr. Rees had an internship with Joe Sexton and Jamie Wilks, who work in the Madison Building and Zoning Office. During his internship, he learned how inspections and rules and regulations of the State of Virginia can help mitigate the effects that expansion and construction have on the environment. Mr. Rees completed community service through Parks & Recreation with Lindsay Vonherbulis and Jerry Carpenter. During his community service, Mr. Rees hosted a tree planting event at Hoover Ridge Park to commemorate the accomplishments of Joyce Gentry, Bruce Parker, Valerie Miller, JT Price, and Eddie Dean for the Madison Community and the Park. During his project, Mr. Rees learned that parks play a large part in preserving the ecosystem and are great for a growing population.

- *Supervisor Yowell suggested Mr. Rees present his presentation to the Comprehensive Plan Committee who meets this week.*

Mr. Rees stated he would be interested in presenting to the Comprehensive Plan Committee.

- *Chairman Jackson inquired how Mr. Wilks' and Mr. Sexton's demeanors were when talking to folks regarding their permits.*

Mr. Rees stated they were very professional regarding whether someone was passing the inspection or if they needed to make changes.

3. Secondary Six-Year Plan Draft Presentation – Ed San Nicolas

Mr. Ed San Nicolas was present on behalf of VDOT and gave an overview of the Draft Fiscal Year 2024- Fiscal Year 2029 Secondary Six-Year Road Plan. Before the meeting started, Mr. San Nicolas provided a list of roads to the Board that VDOT suggested as qualifying unpaved roads for Fiscal Year 2028 and Fiscal Year 2029 that have proven to be a maintenance burden.

- *Supervisor Yowell asked Mr. San Nicolas why the first slide of his presentation stated, "Rural Rustic Road Program" opposed to, "Draft Secondary Six-Year."*

Mr. San Nicolas stated that the roads on the Secondary Six-Year Plan (SSYP) are all rural rustic roads. Mr. San Nicolas explained the purpose of the SSYP and how roads are considered eligible. Mr. San Nicolas went over VDOT's proposed unpaved road priorities for 2024-2029. Mr. San Nicolas explained that Turner Drive has six miles that do not qualify due to the road being too narrow. The non-qualifying section of Turner Drive will be reviewed with County staff to determine total project costs (i.e., survey, right of way recordation, environmental and storm water review, design, and construction). Mr. San Nicolas recommended leaving balances of unallocated funds in Fiscal Year 2028 and Fiscal Year 2029 until next fiscal year.

- *Chairman Jackson inquired the location of Route 4005 and Route 4006, which were on the last slide of Mr. San Nicolas' presentation, and what they would be completing on those routes.*

Mr. San Nicolas stated the funding allocation is not project specific.

- *Supervisor Yowell asked why they would not identify a road they want to put against certain monies.*
- *Chairman Jackson mentioned the list Mr. San Nicolas provided at the beginning of the meeting and read off those roads. Chairman Jackson recommended adding the rest of Emmet Road to the Draft SSYP.*

Mr. San Nicolas asked for clarification on what year the Chairman would like to add the rest of Emmet Road to the plan because if they complete it when they do the first part, the other roads will get pushed back.

- *Chairman Jackson stated that he understood. Chairman Jackson asked the other Board members their thoughts or recommendations.*

- *Supervisor Jewett expressed concern for Route 230 and inquired about the status of Route 230.*

Mr. San Nicolas stated that segments of Route 230 will be paved this summer.

- *Chairman Jackson stated that at a previous meeting the Board was told Route 230 was going to be done in 2025.*

The County Administrator stated that the 2022-2023 paving schedule states Route 230 East, Wolfstown-Hood Road, is on the schedule for this year.

- *Chairman Jackson stated he believed the section of 230 that Supervisor Jewett is referring to is from Exxon to Route 15.*
- *Supervisor Jewett agreed.*
- *Chairman Jackson asked the County Administrator when that portion of Route 230 was on the schedule.*

The County Administrator stated he did not see that part on the schedule. The County Administrator stated he knew patching started to occur last summer but stopped due to lack of funding.

Mr. San Nicolas confirmed that the section of Route 230 (Wolfstown-Hood Road) will be done this summer.

The County Administrator clarified that Supervisor Jewett is inquiring about Route 230 (Orange Road) that goes from Route 29 and runs until Route 15.

Mr. San Nicolas stated he would look into it and get back to the Board.

The County Administrator stated he reached out to the school system, who has reached out to their Transportation Supervisor, and he reached out to the Sheriff's Office to compile a list of roads that need work. This list needs to be provided to VDOT by April 28th. The County Administrator stated it is a lengthy process for VDOT to vet and prepare for roads to be added to the plan.

- *Chairman Jackson confirmed that those roads are not a part of the SSYP, but the maintenance plan.*

Mr. San Nicolas stated that Chairman Jackson is correct, they are two different programs. Mr. San Nicolas stated the County Administrator is referring to the Annual Paving Schedule, which is the list the County Administrator will give Mr. San Nicolas by April 28th for Fiscal Year 2025.

- *Chairman Jackson asked the Board what they would like to do regarding the SSYP. Chairman Jackson also asked the County Administrator when the Public Hearing for the SSYP would be held.*

The County Administrator stated that he requests the Board take action to set the date as May 9th at 4:00 pm.

- *Chairman Jackson asked when did the Board need to have a finalize list of roads for the SSYP for the public hearing and for VDOT.*

The County Administrator mentioned a note on the form Mr. San Nicolas handed out, that has the additional six roads that VDOT recommended for unallocated funds, which stated to give them enough time to survey the roads.

Mr. San Nicolas stated that was correct. Mr. San Nicolas gave an overview for how VDOT vets and prepares their draft.

- *Chairman Jackson stated they have a list of six roads, which were provided on a handout from Mr. San Nicolas, plus the citizen requested roads which makes it eight new roads to be added to the SSYP. Chairman Jackson asked the other Board members if they want VDOT to do field surveys and some development of these eight roads so that potentially, in the future, the Board and residents can allocate those unallocated funds.*
- *Supervisor Yowell stated VDOT goes out and evaluates the roads and makes a recommendation, but asked if the Board and residents want to do something else, who would get the final say.*

Mr. San Nicolas gave an overview of how they decide if the road should be selected.

- *Chairman Jackson stated it is Madison County's SSYP and if the road criteria are met, the Board can make the permanent plan.*

Mr. San Nicolas stated that is correct.

- *Supervisor Yowell confirmed that VDOT is the one who does the evaluation and brings the information to the Board and the Board decides.*
- *Chairman Jackson stated he recommended having VDOT evaluate the eight roads they have. Chairman Jackson asked will they have more roads once they hear back from the Sheriff's Office and the School Transportation Department.*

The County Administrator stated the list of roads he will turn in on April 28th, which he is taking suggestion from the Sherriff's Office and the School Transportation Department,

are for the Annual Paving Schedule for Fiscal Year 2025. The Board decides the SSYP, which are the roads who need to be paved that are not currently paved.

- *Supervisor Yowell inquired about what data the Board should use to priorities the roads for the SSYP.*
- *Chairman Jackson feels Woodward Hollow has done a substantial amount of development by providing a substantial number of residence signatures.*

Mr. San Nicolas stated that regarding the eight routes, it is the counties responsibility to priorities it and VDOT is just there to support the efforts.

The County Administrator stated they are still collaborating with the residents of Turner Drive. To move the project forward, all residents must agree. The County Administrator recommended leaving the door open with the unallocated funds if they want to do phase two with Turner Drive.

- *Chairman Jackson stated he heard that there is one resident who is not onboard.*

The County Administrator stated they are hoping to hear back from that resident very soon.

Mr. San Nicolas stated that by leaving the unallocated funds for 2028 and 2029 it gives VDOT the flexibility to work down the list the Board decides as priorities.

- *Chairman Jackson recommended allowing VDOT to take the eight roads and start evaluating them and get some data to the Board so they can identify and add to the SSYP.*

The County Administrator confirmed that the Board would vote on the public hearing date regarding the roads in VDOT's draft and the other eight roads VDOT will start evaluating but will not be in this SSYP.

- *Chairman Jackson asked the Board if they wanted to change a road or add a road to the draft SSYP.*
- *The Supervisors agreed to leave the draft the way it is.*
- *Chairman Jackson asked the Board if they wanted to have the SSYP's public hearing on May 9th.*
- *Supervisor Yowell asked if that will give them enough time.*

The County Administrator stated it would and VDOT agrees with that date.

- *Supervisor Yowell asked if there is a required date that they must approve the SSYP.*

Mr. San Nicolas stated the cut off was in June.

Supervisor Yowell motioned that the Board hold a public hearing on the Secondary Six-Year Road Plan on May 9th, 2023, seconded by Supervisor Dawson. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

3a. Additional Road Paving Requests and Speed Study Request – County Administrator

- *Chairman Jackson asked the County Administrator to present the speed study request.*

The County Administrator explained there was a request to do a speed study on 231 North near the Hebron Church intersection to increase the speed to 45 MPH. The County Administrator is making the Board aware of the request and is requesting the Board's direction.

- *Chairman Jackson stated he drives the road often and feels 45 MPH is dangerous. Chairman Jackson asked the of Board members if they would like to do a speed study.*
- *Supervisor Yowell stated he would not like to move forward with the speed study.*
- *The Supervisors agreed to leave it where it is.*

The County Administrator stated he would let Mr. Weaver, the citizen who made the request, know. The County Administrator stated that the other two requests have been discussed already.

Chairman Jackson opened the floor for questions or concerns for VDOT.

Joe May: Mr. May asked if VDOT was going to start at his end of the road on Duet.

Mr. San Nicolas stated that the project is not fully funded yet, which means they have not gone through those details yet. Mr. San Nicolas encouraged Mr. May to communicate with him directly about it more.

Jim Smith: Mr. Smith stated that they are missing a 25 MPH speed sign on Ridgeview.

Mike Sharman: Stated the road is not wide enough for vehicles to pass and is a safety concern in the Novum area. He is requesting the road be widened.

The County Administrator stated that Ms. Gear came previously as a resident of that road as well and VDOT had looked at it to see if it would qualify. There are spots in the road that do not qualify, and he would look to Mr. San Nicolas for suggestions to fix that.

- *Chairman Jackson asked Mr. San Nicolas if he could investigate it and have more information by May 9th.*

Mr. Sharman stated he would just like the road widened, paving it is not their priority.

PUBLIC HEARING

4. FY24 Budget

The County Administrator thanked the Finance Director and other colleagues for their hard work to develop this year's budget. The County Administrator gave an overview of the previous budget meeting workshops leading up to the final budget. The County Administrator went over the Fiscal Year 2024 goals and priorities and gave estimated completion dates.

- Improve access to broadband services (August 2025).
- Complete major capital projects
 - Public Safety Radio System (August 2024)
 - Financial software replacement (January 2024)
- Complete a facilities inventory and needs assessment.
 - Plan for a new EMS facility (July 2023)
 - Dispose of surplus real estate (December 2023)
- Establish and maintain an ongoing CIP (July 2023).
- Negotiate an optimal exit of Greene County from RSA and review and discuss future RSA plan and policies (July 2023).
- Increase human resource support and employee assistance (July 2023).
 - Develop incentive programs and a public safety pay scale.
 - Provide and encourage adequate training and certifications.
- Comprehensive Plan Update (December 2023)

The County Administrator then went over a few budget highlights.

- Most spending is allocated for education and public safety.
- Personnel cost increases driven by
 - Health insurance premium 10% increase (50/50 split between employer & employee)
 - 5% COLA
- The proposed budget is balanced.
- Requires no tax increase with a use of fund balance totaling \$1,205,676 for General Fund and \$2,685,294 for Capital Fund.
- General Fund Contingencies:
 - \$314,872 operational contingency for unexpected costs
 - \$22,963 annual leave contingency
 - \$144,192 contingency for unexpected costs related to Schools.

The County Administrator emphasized that the contingency funding is at the Board's discretion and there is no guarantee to any agency or department.

The County Administrator gave an overview of the capital expenditures, and the total capital amount is \$8,912,535. The County Administrator gave an overview of outside agencies that will be receiving funding and the total funding is \$ 2,347,324 which is a 7.6% increase from last year. The County Administrator mentioned the organization receiving the largest amount is the Rappahannock Juvenile Detention Center, which Madison is required to fund because they service our area. The County Administrator reviewed the revenue and expenditures breakdown which came out as a balanced budget. The County Administrator mentioned that \$25,507,560 is the school's total funding which is basic school aid represented from the state and local funding. The local funding is \$9,776,883. The County Administrator shared a pie chart that showed the expenditure breakdown by percentage. Lastly, the County Administrator discussed the remaining steps for the budget process.

- Public hearing advertised for April 11, 2023
- Budget adoption on April 25, 2023
- Appropriation resolution on June 13, 2023

The Finance Director stated that public safety is 28% of the budget.

➤ *Chairman Jackson opened the floor for public comment regarding the budget.*

Nick McDowell: Mr. McDowell stated that the Madison County Library is a corporation not a department.

Jim Smith: Mr. Smith thanked the Board for how they managed the budget process this year.

Mike Sharmon: Mr. Sharman stated he discussed further with Mr. San Nicolas and Mr. San Nicolas stated that he could not think of a program that would allow them to widen the road without paving. Mr. Sharmon stated that Mr. San Nicolas stated they cannot have unpaved funding allocations that it must be paving allocations. Mr. Sharmon would like to encourage the Board to find a way to widen unpaved roads, so they are safe for travel.

➤ *Chairman Jackson thanked the County Administrator, the Finance Director, and the County's Staff for bringing the Board a cost-conscious budget.*

OLD BUSINESS

5. Sign Ordinance

The County Administrator gave an overview of the discussions that have previously taken place regarding the Sign Ordinance. The County Administrator stated the County Attorney has brought back suggestions for the Board.

The County Attorney stated the county does not have to allow any signs on county property, they just need to make sure whatever they decide to do, they do it fairly and evenly. The County Attorney recommended posting an official sample ballot. The County Attorney stated the thing

that does make the Sign Ordinance slightly complicated is there is a polling location at the Criglersville School. There will be an exception for the Criglersville polling site so signs can be posted and some electioneering on the day of the election can take place. The County Attorney looked at nearby County's Sign Ordinances and how they oversee this situation on county property. The County Attorney stated that it would be an Ordinance change, which means a public hearing will need to be advertised for two weeks to modify the Sign Ordinance.

The County Administrator stated he believed they were not only concerned about political signs but all signs.

The Registrar stated the County Attorney was correct. The Registrar stated she pulled the polling place lease, and it does not say anything about signs. The Registrar stated that once sample ballots are approved by the state, they print them on yellow paper and post them in the office, will mail them, post them on the county's website, post it on their Facebook site, and post it in the display case in the hallway.

- *Supervisor Jewett stated he liked the County Attorney's approach to this. Supervisor Jewett asked the Electoral Board and the Registrar if they could do an enlarged sample ballot.*

The Registrar stated they could enlarge the ballot.

- *Chairman Jackson stated he did not think this needed to go to the Planning Commission that the County Attorney could start putting something together and then have a public hearing.*

NEW BUSINESS

6. Committee Updates and Appointments

The Executive Administrative Assistant/ Deputy Clerk gave an update on expired terms and soon to expire terms for Committees and Board Appointments. The Executive Administrative Assistant/ Deputy Clerk presented four applications seeking action from the Board on whether they wish to reappoint these candidates or not reappoint them. For the Building Code Board of Appeals both Alvin Esh and J. Daniel Crigler would like to be reappointed. For the Industrial Development Authority, William Hale and Steven Hoffman would like to be reappointed.

Supervisor Dawson made a motion to reappoint Alvin Esh and J. Daniel Crigler to the Building Code Board of Appeals, seconded by Supervisor Hoffman. ***Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).***

Supervisor Dawson made a motion to reappoint William Hale and Steven Hoffman to the Industrial Development Authority, seconded by Supervisor Jewett. ***Aye: Jackson, Yowell, Dawson, Jewett. Nay: (0) Abstain: Hoffman.***

DISCUSSION

7. Article 4, Section 4.3 – Area Regulation (3 acres per use) Clarification

The County Administrator stated he believed some additional verbiage could help clarify the three acre per use for an A1 area. The County Administrator stated that some may look at it and think it refers to house only one dwelling.

The County Attorney stated this issue came up a while ago and fell off everyone’s radar, but the issue was a question of interpretation. The County Attorney stated he made suggestions, but nothing came of them. The County Attorney stated the Board has a few options, they could leave things the way they are, make his suggested changes, or make additional changes. The County Attorney stated they could schedule a public hearing with the Planning Commission or change the wording depending on what the Board would like to do.

- *Chairman Jackson stated he did not think it needed to go to the Planning Commission. Chairman Jackson stated the intent from Madison County is that each use requires three acres in an A1. Chairman Jackson stated people can have a detached garage because it will still be a part of the residence. Chairman Jackson stated that he thinks the original is fine, but if they need to clarify it so it cannot be interpreted another way, that is fine as well.*
- *Supervisor Yowell stated he was on the Planning Commission for nine years and it was always interpreted the same way. Supervisor Yowell inquired what the County Attorney’s exact wording was to clarify the statement.*

The County Attorney thought his words were there should be a minimum acreage requirement of three acres per use for all zoning in this section.

- *Chairman Jackson asked if May 9th, since there is already a public hearing that day, was too soon for a public hearing on this.*

The County Attorney stated he thought that may be too soon, he recommended sometime in June. The County Attorney wants to be sure they did not need to go to the Planning Commission as a requirement.

- *Chairman Jackson asked if the County Attorney could bring an update to the Board at the next meeting and then they can select a public hearing date.*

INFORMATION/CORRESPONDENCE

8. Woodberry Forest DEQ Permit Renewal

The County Administrator stated it is standard by the state to provide public notice and a public comment period for any permit holder when they are renewing. DEQ gave the county notice that the permit is up for renewal for Woodberry Forest, and they are accepting public comment. The public comment period runs from April 13th to May 13th, 2023.

9. EMS Renovation Update

The County Administrator stated he has reached out to one of their professional service agreement providers for an A & E firm to start talking about developing a scope of work, and a proposal that the Board can consider. The County Administrator stated he would like the county's building official to be on the call with this A & E firm before he brings it back to the Board. The building official is out due to surgery and will be back later in April. The County Administrator plans to have more information in May.

10. Reassessment Request for Proposal (RFP)

The County Administrator stated that the Finance Department and the Commissioner of Revenue went through the review process and found the right fit for the RFP. They are looking for at least three proposals and the deadline for proposals is May 8, 2023. It is posted on the County's Website and on the EVA, which is the State Procurement Website. There will be a selection committee that will be formed with a board member or two participating.

- *Supervisor Hoffman and Supervisor Dawson both agreed to be on the selection committee.*

11. SNP Old Rag Pilot Program

The County Administrator stated the County was given notice by the park that a little over a year ago they put an eight hundred per day ticket program in place. The goal was to have a positive impact on those visiting and hiking. The County Administrator proposed communicating with the Blue Ridge Committee members to get feedback.

- *Chairman Jackson stated he was shocked he did not receive any complaints about this. Chairman Jackson agreed, they should go to the Blue Ridge Committee for Shenandoah National Park Relations representatives for their feedback.*

The County Administrator confirmed that he would have the Blue Ridge Committee for Shenandoah National Park Relations members read the report and provide feedback to the Board so the Board can issue a statement at the appropriate time.

12. Public Hearings Scheduled for 4/25/23 – Administrative Fees and Tax Rate

The County Administrator gave a reminder about the upcoming public hearing for the Administrative Fees and the Tax Rates Ordinance.

13. Opioid Abatement Authority Grant

The County Administrator gave an overview of the Opioid Abatement Authority Grant. There are two funding sources for the opioid settlement. One is a direct payment, which Madison is currently receiving, but the other funding source is by a grant, The counties can be entitled to the grant money, but they must develop a program to do so. All five counties in the Regional Commission agreed it is best served from a regional approach. The Culpeper County's Administrator agreed to be the fiscal agent for this project. The County Administrator stated he sent information by email to the Board members today

regarding this. The County Administrator is asking the Board members to review the information and bring the topic back at the April 25th meeting.

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: 2.2-3711(A)(1), 2.2-3711(A)(7), and 2.2-3711(A)(8), seconded by Supervisor Dawson. *Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0).*

Supervisor Yowell made a motion to re-convene 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)(8) and 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).*

ADJOURN

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