



**Agenda**  
**Board of Supervisors**  
**Tuesday, July 25, 2023 at 6:00 PM**  
**Administration Building Auditorium**  
**414 North Main Street, Madison, Virginia 22727**

**Call to Order, Pledge of Allegiance & Moment of Silence**

**Determine Presence of a Quorum/Adoption of Agenda**

**Public Comment**

**Consent Agenda**

1. Approve: Minutes from 06-27-2023 & 07-05-2023
2. Supplemental Appropriation FY23 #21

**Special Appearances**

**Old Business**

3. Sign Ordinance Update – County Attorney

**New Business**

4. FY23 Fiscal End of Year Report – Finance Director
5. Thomas Jefferson Area Criminal Justice Board Appointment – Deputy Clerk
6. Hoover Ridge Project Engineering Proposal – County Administrator

**Discussion**

7. Resolution Honoring Fallen Officer and Request to Amend LODA
8. RSA Memorandum of Understanding – County Attorney

**Information/Correspondence**

9. Office 365 Licensing Upgrade – County IT
10. New County Website – County IT
11. VDOT Updates

**Public Comment**

**Closed Session**

- 2.2-3711(A)(1)
- 2.2-3711(A)(7)

**Adjourn**

**MADISON COUNTY BOARD OF SUPERVISORS MEETING**

Date: 6:00 PM — Tuesday, July 25th, 2023  
Location: Admin. Building Auditorium, 414 N. Main Street

**MEETING #28 — July 25**

At a regular meeting of the Board of Supervisors on Tuesday, July 25th 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
  - 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. Chairman Jackson stated he would like to start with the Pledge of Allegiance and follow with a moment of silence.*

**DETERMINE PRESENCE OF A QUORUM/ADOPTION OF AGENDA**

---

- *Chairman Jackson advised that a quorum was present and inquired if anyone had anything to add to the agenda.*

The County Administrator stated he did not have any additions, but he wanted to mention when item number three is addressed the County Attorney has one edit, which will be presented on the screen, to the Sign Ordinance that is not reflected in the agenda packet.

- *Chairman Jackson inquired if anyone had anything else to add to the agenda and if not, what action would they like to take.*

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

## **PUBLIC COMMENT**

---

**Clarissa Berry:** Ms. Berry stated Jennifer Hayes, Madison’s Victim Witness Coordinator, resigned and will now be working for Orange County as their Victim Witness Coordinator. Mrs. Hayes’ last day with Madison will be July 31<sup>st</sup>. Ms. Berry stated they posted the job opening on the county’s website and Tillie Strothers, Human Resources, has submitted it to other sites as well. They have already received applications and it will remain open for applications through the end of next week. Mrs. Hayes will be starting in Orange on August 1<sup>st</sup>, but Mrs. Hayes and Orange County agreed to allow Mrs. Hayes to return to train the new hire. Ms. Berry stated they are sad to see Mrs. Hayes go, but they are hopeful for the next Victim Witness Coordinator.

With there being no further public comment, the public comment section was closed.

## **CONSENT AGENDA**

---

1. Approve: Minutes from 06-27-2023 & 07-05-2023
2. Supplemental Appropriation FY23 #21

➤ *Chairman Jackson gave an overview of the items listed under the consent agenda and asked for the Board to take action.*

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

## **SPEACIAL APPEARANCES**

---

The was no special appearances.

## **OLD BUSINESS**

---

3. Sign Ordinance Update – County Attorney

➤ *Chairman Jackson asked the County Attorney to give an update on the sign ordinance.*

The County Attorney stated the sign ordinance had previously defined political signs. There was a Supreme Court case that stated distinguishing such signs are a violation of the first amendment and they needed to be content neutral. Due to this, the County Attorney stated

defining political signs is problematic. The County Attorney stated instead of adding this into article 12 section 1, he felt it made more sense to include 12-6 as a new article 15 to talk about what permitted signs are during the period of elections. The County Attorney stated the proposed amendment does not define what these signs are. The County Attorney stated the updates were shared with the Electoral Board and they received good comments. The County Attorney stated the purpose of this amendment is to avoid problems with mowing. The County Attorney stated the last two sentences were added to try to make it clear that these are the only signs that will be allowed during this window, in these locations (county owned property).

- *Chairman Jackson asked the County Administrator if he had anything to add.*

The County Administrator stated they pulled the public hearing that was originally scheduled for July 11<sup>th</sup> to ensure they gave proper attention to concerns. Mr. Smith, Electoral Board member, and the County Attorney have communicated regarding Mr. Smith's concerns. The County Administrator stated he wants to be sure the updated amendment is the preference of the Board and that they have captured and addressed any concerns before scheduling a public hearing.

- *Chairman Jackson asked the other Board members if they had questions or concerns.*
- *Supervisor Jewett asked the County Attorney if these amendments applied to the 414 building as well, which was the building they were currently in.*

The County Attorney stated he does not consider the Registrar's Office a polling place and signs would not be permitted on the administrative campus.

- *Supervisor Jewett stated he knows from a practical standpoint this is something they need to do. Supervisor Jewett stated he has reservations about anything that may restrict first amendment rights. Supervisor Jewett mentioned Pew Research came out with a pole, which states 52% of Americans believe it is okay for the government and Big Tech to censor. Supervisor Jewett feels the Bill of Rights is going to eventually disappear, which is unfortunate. Supervisor Jewett stated he can support the sign ordinance, and he knows the Electoral Board gave input on it.*
- *Supervisor Yowell stated he did not have anything further.*
- *Chairman Jackson stated he thinks everyone agrees with Supervisor Jewett. Chairman Jackson mentioned that he thinks political signs, and other signs, including his, makes a beautiful county look trashy. Chairman Jackson inquired when they would like to*

*schedule a public hearing. Chairman Jackson stated he assumed it was too late to do it for the first meeting in August but inquired about holding it on the second meeting in August.*

The County Administrator stated it would be appropriate and would meet the guidelines. The County Administrator stated there were changes at the General Assembly on advertising so there is a requirement for 14 days from the last advertisement to Board actions. This means that if they do not take action at the public hearing, they will have to do another advertisement to meet those requirements. The County Administrator stated the Board has set another public hearing for the second meeting in August.

- *Chairman Jackson inquired if any Board members had any issues with this date, which they did not. Chairman Jackson inquired what the other topic was for the public hearing at the second meeting in August. Chairman Jackson asked if it was for the MOA.*

The County Administrator stated they needed to talk about the MOA tonight to see what they wanted to do, but the set public hearing is for the rezoning fees.

- *Chairman Jackson asked the other Board members if they would be good with setting the public hearing date for the second meeting in August.*
- *The Board agreed.*

## **NEW BUSINESS**

---

### **4. FY23 Fiscal End of Year Report – Finance Director**

- *Chairman Jackson asked Mrs. Warren, Finance Director, to tell them about the FY23 Fiscal End of Year Report.*

Mrs. Warren, Finance Director, presented a FY23 Fiscal End of the Year Report. The Finance Director stated the budget versus actual report is the preliminary financials for the county as of July 20<sup>th</sup>. The Finance Director stated the bulk of the FY23 revenues and expenditures have been recorded in the general fund. The Finance Director mentioned that the county will have additional revenues come in and will be recorded in the months of August and September, which is traditional and typical. The Finance Director stated they could also see additional FY23 expenditures coming in between now and the audit, but it will be minimum. The Finance Director stated there will be final journal entries that are made during the audit. The preliminary financial update includes the general fund only, as other funds such as CSA and VPA are a month behind the county, and they are still recording transactions. The Finance Director

stated the FY23 revenues exceeded expenditures in the general fund, which will result in additional fund balance. They received \$348,000 in additional FY23 revenues above their projections. FY23 expenditures, overall, in the general fund, they are \$403,000 under budget from their projections. The Finance Director mentioned she plans to present a capital fund update in the month of August or September. The Finance Director stated she and the County Administrator will do a joint report on the capital fund and on capital projects. The FY23 audit is expected to take place starting in October and the final FY23 comprehensive audit financial report will be presented by the audit firm in December. The Finance Director gave an overview of the top ten line items that brought in higher revenues than projected.

- Real Property: For all categories, they have about \$305,000 above what was budgeted. The projection of new construction was lower due to unknown responses to economic impact of covid. Economists were predicting a recession and the county projections were conservative on real property.
- Personal Property: They are about \$679,000 higher in revenues than budgeted. The valuations went up on personal property items and the Board reduced the tax rate from \$3.60 to \$3.00.
- Local Sales Tax: They are over about \$110,000 and the Department of Taxation does not release their estimates until after the budget is adopted.
- Restaurant Food Tax: Is \$153,000 higher and when they developed the FY23 budget. Conservative estimates were used due to the predicted recession.
- Interest Income: The federal interest rate hikes and they increased revenue above budget about \$600,000.
- Grants: They lumped all the grants together and they are \$188,000 higher in revenue than the projection. The grants included are the SRO Grant, additional Library of Virginia Record (LVA) Grant, Forestry, Public Safety Answering Point 911 (PSAP 911), and Equipment Grants.
- Ambulance Transports: They are about \$87,000 higher than budgeted. Ambulance transports have increased and when they projected the FY23 budget, they looked across three fiscal years to do an average. They have increased the projection for FY24.
- Waste Collection Disposal: Is about \$109,000 higher in revenues. There has been an increase in county billing for commercial and other items disposed of at the transfer station. The Finance Director mentioned that the billing rates have not increased for the public even though the vendor rates have increased for the county.
- Real Estate Sale: This is when the county sold the Thrift Road property, which was not in the budget and was \$205,000 in revenues.
- Building Permit: They are over \$77,000 due to the increase in building permits compared to previous years.
- Transient Occupancy Tax: They are over \$65,000. On October 1<sup>st</sup>, Airbnbs started collecting tax for all the customers, which they have not done before. The Finance

Director mentioned that the number of Airbnbs has increased, and they have increased the projection for FY24.

- Other Revenues: They lumped together other revenue categories with a total of \$264,000 over the projection.
- ARPA Funds: Regarding the ARPA funds, they projected 2.5 million for Broadband, but with the delay they were not able to account for those revenues.
- General Fund: Overall, in the general fund they are \$348,202 above the projected revenues.

The Finance Director then gave an overview of the FY23 expenditures for the general fund. The Finance Director only went over the line items that had an explanation listed, which was presented on the projector screen.

- Sheriff: This budget and expense included all cost centers underneath the Sheriff's Department code.
- EMS: They ran over about \$54,000 due to overtime being higher than budgeted.
- EOC, Emergency Communication E-911: They had a remaining balance of \$97,000 which is a factor of attrition. There were continued staffing issues throughout the year, so salaries and wages were much lower than projected.
- Transfer Station: The rates increased in the middle of the year, and they ran over about \$67,000.
- Clerk of the Circuit Court: Madison has an MOU with Orange County to pay the Circuit Court Judge's Secretarial cost, which was \$29,000. This was missed and not budgeted.
- Joint Services: It was about \$35,055 over, but that was for more Fire Programs Fund revenue they received. The extra revenue was dispersed to the Volunteered Fire Department.
- Treasurer: This department had significant increases in postage and DMV fees. They received an additional \$14,000 in DMV Stop Fee revenue that would offset the deficit.
- Animal Control: There was much more overtime than budgeted and went over \$7,600.
- Registrar: The Registrar needed extra part-time employee support throughout the year during her maternity leave. The part-time number was slightly over.
- County Attorney: There was an overlap while training the new County Attorney, which made them go over.
- General Fund: Overall, the total available budget remaining expenditures was \$403,563 which left them in the positive.

The Finance Director asked the Board if they had any questions.

- *Supervisor Yowell stated that he did not have any questions and the presentation was very straight forward.*
- *Chairman Jackson agreed and confirmed that they were \$751,000 ahead.*

The Finance Director stated that was correct for the general fund.

- *Chairman Jackson stated the list the Finance Director went over was astounding. Chairman Jackson stated for the last two years, they have been trying to hit actual budget revenues by looking at factual information and historic data. Chairman Jackson stated they are offsetting tax increases based on historic data of expenditures and revenues with revenues above expenditures. Chairman Jackson stated it is important to maintain the tax rates for everyone.*
- *Supervisor Yowell asked what things are not in for FY23 other than CSA.*
- *Chairman Jackson stated CSA and VPA.*

The Finance Director stated those are the large ones. The Finance Director stated she has preliminary numbers, and they are under budget as well and revenues are slightly over.

- *Chairman Jackson stated he believed the schools were close.*

The Finance Director stated they are very close.

- *Chairman Jackson asked when CSA and VPA are going to close out. Chairman Jackson mentioned he thought it was in October.*

The Finance Director mentioned it is her first year so she is going by what she has been told and it will be a month behind making it around the September timeframe.

- *Supervisor Yowell inquired if they may have a surprise with CSA and VPA or would there not be any surprises.*

The Finance Director stated she has met and spoken with the CSA side and there are no surprises that she is aware.

- *Chairman Jackson stated a long time ago CSA had some budget issues and they encumbered money as a stabilization fund. Chairman Jackson stated they have been going in a positive direction with Tiffany Woodward and Valerie Ward.*



- *Supervisor Hoffman stated today at the Social Services Board meeting they were discussing how seven years ago there were around one hundred kids and now there are thirteen and four in Foster Futures.*
- *Supervisor Dawson mentioned they are twenty and under mostly.*
- *Chairman Jackson and Supervisor Yowell stated how great that was.*

The County Administrator stated the foster care movement has truly made a difference.

- *Supervisor Hoffman stated the things they are doing do a better job of prevention.*
- *Chairman Jackson stated that was huge.*

The Finance Director stated she ran through their budget with Celene Pumphrey, Social Services Administrative Manager, to ensure everything lines up and she does not think there will be any surprises. The Finance Director mentioned that they are still posting transactions.

- *Chairman Jackson inquired if the Board had any questions.*

The Finance Director made a recommendation to leave the FY23 numbers as is to help with budget planning going forward.

- *Chairman Jackson stated this comment came up last week and he feels they do themselves a tremendous disservice by moving money around to show positive or zero balances instead of negatives. Chairman Jackson stated this all tracks to the budget practice that they are trying to improve, and he would recommend not moving items to look better because it gives them a better basis for direction for the upcoming fiscal year.*

The Finance Director stated throughout the year there might be a request for additional money, which is different. When it comes to the end of the year, if they are on the positive end overall, it does not make sense to make any adjustments. The Finance Director stated they want to see the true numbers for budget purposes.

- *Chairman Jackson stated this report is positive and asked the Board if they had anything to add, which they did not. Chairman Jackson thanked the Finance Director for her report.*

## 5. Thomas Jefferson Area Criminal Justice Board Appointment – Deputy Clerk

Kimberly Turner, Executive Administrative Assistant/ Deputy Clerk, stated Clarissa Berry's term expired for the Thomas Jefferson Area Criminal Justice Board at the end of June and she received a certificate for her years of services, which was much appreciated. Ms. Berry gave a recommendation for the Thomas Jefferson Area Criminal Justice Board, which was Shanice Edwards, who attended the meeting. Mrs. Turner stated that Ms. Edwards' application is in the agenda packet for the Board's approval.

- *Chairman Jackson thanked Ms. Edwards for coming and stated he heard she was exceedingly enthusiastic about serving and asked if she had anything to say.*

Ms. Edwards stated she has been with the Department of Corrections roughly five years. Ms. Edwards is currently a supervisor of the Sex Offender and Intensive Supervision Team, and she works directly with the victims with the probationers. Ms. Edwards stated they cover Greene, Madison, Orange, and Culpeper County. Ms. Edwards stated she is excited to assist the county anyway possible with any avenue from the department side as well as her experience working with this population.

- *Chairman Jackson asked the Board what they would like to do.*

Supervisor Yowell made a motion to appoint Shanice Edwards to the Thomas Jefferson Area Criminal Justice Board, seconded by Supervisor Dawson.

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

- *Chairman Jackson thanked Ms. Edwards and sated they looked forward to working with her. Chairman Jackson thanked Ms. Berry for finding someone to fill the role.*

## **6. Hoover Ridge Project Engineering Proposal – County Administrator**

- *Chairman Jackson asked the County Administrator to give an overview of the Hoover Ridge Project Engineering proposal.*

The County Administrator reminded the Board that during the budget process, they approved roughly \$212,000 from the capital budget for engineering and design for the Hoover Ridge Outdoor Recreation Center. The Outdoor Recreation Center encompasses many neat features such as a splash pad, walkability, accessible playground, sport courts, and relocating hockey. The Board formed a committee, had a meeting to develop a scope of work with WW Associates, received and discussed a proposal, and are bringing back the two proposals tonight before the Board. The County Administrator reminded the Board that the County's Professional

Service Agreement for the engineering firms, which are WW Associates and Hurt & Proffitt, stated they cannot have a task order that exceeds \$100,000 so they broke down the services. They will have a preliminary design and the final design/construction services. The total cost of both proposals is \$194,500, which is under budget. The County Administrator stated he would be happy to take any questions they had.

- *Chairman Jackson inquired if this is the recommendation of the planning group and PRA.*

The County Administrator stated that is correct.

Supervisor Yowell made a motion to authorize the County Administrator to execute the preliminary design proposal for \$97,500 and the final design and construction services proposal for \$97,000 for a total of \$194,500, seconded by Supervisor Jewett.

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

- *Chairman Jackson stated he knows Parks & Recreation will be happy with that.*

The County Administrator stated he appreciated the efforts of Parks & Recreation as well. The County Administrator stated Ms. Vonherbulis, Recreation Coordinator, met with Culpeper Wellness Foundation on Friday and she had reported back that that meeting went very well. There were some additional conversations to be had on naming rights, which is a great fundraising effort to attract large donors. The County Administrator stated they are appreciative whether it is PRA members or staff that are hitting the ground running to get additional funds for this project.

- *Chairman Jackson stated they have raised and have committed just over two million dollars. Chairman Jackson stated that is a tremendous amount of money that people have committed to for this project. Chairman Jackson asked if there were any more comments, which there were not.*

## **DISCUSSION**

---

### **7. Resolution Honoring Fallen Officer and Request to Amend LODA**

- *Chairman Jackson asked the County Administrator to discuss the Resolution Honoring Fallen Officer and Request to Amend LODA.*

The County Administrator stated the Line of Duty Act was enacted by the General Assembly, for those who pay the ultimate price in law enforcement. The Line of Duty Act allows for payment

to the family of a fallen officer. The County Administrator stated as it is currently defined, private law enforcement does not qualify. Nelson County's Administrator sent over the resolution that Nelson County has passed to use as a template. Officer Mark Christopher Wagner II had served seven years with the Massanutten Police Department. The Massanutten Police Department is not recognized by the General Assembly as defined by the Line of Duty Act. Nelson County is recognizing and remembering the fallen officer and is requesting Madison County's support. The County Administrator stated he presumes they are reaching out to other counties beyond Madison to gain support to lobby for the General Assembly to consider amending the Line of Duty Act. The County Administrator stated he reached out to Sheriff Weaver for his opinion, and the Sheriff deems anyone who is honoring and putting on the uniform to serve and protect, should qualify. The County Administrator stated he wanted to put this topic as a discussion item because the County Attorney may like to gather some comments or questions before the Board considers it as an action item. The County Administrator inquired if the County Attorney had anything to add.

The County Attorney stated his only questions were regarding what the unintended consequences would be when you expand this legislation, but overall, it is up to the General Assembly to amend the amendment. The County Attorney stated from what he has read, the officers' actions were heroic, and he was killed trying to stop an assailant.

➤ *Chairman Jackson inquired if the County Attorney found any unintended consequences.*

The County Attorney stated he thinks it depends on how it is defined regarding who qualifies.

The County Administrator added by stating there are questions to ponder requiring how it is defined regarding who should qualify. The decision will be the General Assembly, but they look to localities to see if there is support for it. The County Administrator stated it was brought before the Board as a request from Nelson County and it has been reviewed by the Sheriff. The County Administrator is looking for any feedback the Board has on this topic and/or if they would like to make it an action item.

➤ *Supervisor Yowell asked the County Administrator to repeat what Sheriff Weaver said regarding this.*

The County Administrator stated Sheriff Weaver felt that anyone who is sworn to protect and puts on the uniform, whether it is private or public, deserves to be added under the Line of Duty Act.

- *Supervisor Yowell stated he agrees with this one.*
- *Chairman Jackson asked the other Board members if they were good with this resolution, which they all agreed. Chairman Jackson advised the County Administrator to bring this topic back at the next meeting as an action item. Chairman Jackson then asked the County Administrator if they had a resolution number for this item.*

The County Administrator stated the form does not have one listed, but if they wanted to pass it tonight, they could do so as the template.

- *Chairman Jackson asked the Board if there were any reason to wait to vote and the Board all agreed with the resolution.*

The County Administrator stated if they did not have a number, he recommended to vote on it as a resolution by Madison County Board of Supervisors honoring Officer Mark Christopher Wagner II.

- *Chairman Jackson inquired if the County Attorney had anything to add.*

The County Attorney stated there was no legal objection to that. The County Attorney stated the Board could also say they are passing it as the next appropriate resolution number.

Supervisor Dawson made a motion to approve the resolution, as the next appropriate resolution number, honoring Officer Mark Christopher Wagner II and requesting the General Assembly to amend the Line of Duty Act, seconded by Supervisor Hoffman. **Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0) Abstain: (0) Absent: (0).**

#### 8. RSA Memorandum of Understanding – County Attorney

- *Chairman Jackson asked the County Administrator to give an overview of the RSA Memorandum of Understanding.*

The County Administrator reminded the Board that Greene County has officially withdrawn from RSA. There was initially a Memorandum of Agreement (MOA) and there was language that upon an exit of a county the other two counties would continue. At that time, it was an agreement for five or six years, which they were already in 18 months of that agreed time. The County Administrator stated they want to request an extension. The County Administrator thanked and recognized the Madison Officials that have worked with Orange County Officials to create a baseline for this to happen. The County Administrator stated the County Attorney has

been working with the newly appointed council of RSA, Stephan Calos. Stephan Calos was representing Orange County at one point when they tried mediation. Stephan Calos is stepping aside as Orange County's council and if there is any Orange County messaging for RSA it will run through Mr. Lachney to Mr. Calos and/or Mr. Wright, our County Attorney. The County Administrator stated he believes they are still working through the language. The County Administrator mentioned verbally there is a good feeling of extendedness for 10 years. The new RSA recognizes three members from Orange County and two from Madison, with Orange having the majority membership. Madison's newest member, Mr. Elliott, attended his first meeting last week. The County Administrator asked the County Attorney if he would like to give an update on where they are currently with MOU and if Mr. Calos has indicated any action that Orange is planning to take.

The County Attorney stated he received the updated version yesterday evening. They did not want to call it an MOU, they called it the first amendment to the MOA. It has a ten-year period and takes them through August of 2033, and it had the ability for ten-year renewals. The County Attorney stated he needs to compare it to the old MOA and make sure it lines up. They have a piece about governance and how it is going to be treated as a department of Orange County and the County Attorney is figuring out exactly what the implications are for Madison. The County Attorney stated overall it is good news.

- *Chairman Jackson stated this is good and it works in Madison's favor being small. Chairman Jackson stated if they are willing to collaborate with them, then he does not see any reason not to work with them. Chairman Jackson stated they have been a good partner and mentioned Orange County probably has this on their agenda tonight as well. Chairman Jackson stated taking this on themselves would be daunting based on staffing and it would be expensive. Chairman Jackson asked the County Administrator how many staff it would take to run it if they had to do it themselves.*

The County Administrator stated it would take twelve people if they are looking at it from water, sewer, maintenance, and someone to be overhead at the billing department.

- *Chairman Jackson stated it is a no-brainer to work with Orange and they have been consistent from the start.*
- *Supervisor Hoffman asked the County Attorney if the current Orange Board approved this and another Board comes in next year, can they change the MOA.*

The County Attorney stated this is the agreement between the two counties so they cannot unilaterally change this MOA. They could try to change RSA, but that would be a really difficult process with their agreement in place.

- *Chairman Jackson stated if Orange continues to be a good partner, as they have been throughout this entire process and previously, then he does not think anyone wants to go down the path of shaking up RSA again.*

The County Administrator asked if the MOA requires a public hearing and if it does not, does the Board still desire to hold one.

- *Chairman Jackson advised holding a public hearing and the other Board members agreed.*

The County Administrator stated the Board would have to get the last version for review unless the Board thinks they are at a good point and can advertise now.

- *Chairman Jackson asked the County Attorney how much more movement he thinks will happen.*

The County Attorney asks if they are talking about a two-week notice period.

- *Chairman Jackson agreed.*

The County Attorney advised to do the public hearing the second meeting in August, but if the Board decided on the first meeting in August, he would make it happen.

- *Chairman Jackson stated he appreciated that but did not think that was realistic. Chairman Jackson asked the Board if they agreed with setting the public hearing date for the second meeting in August, which they agreed.*

## **INFORMATION/CORRESPONDENCE**

---

### 9. Office 365 Licensing Upgrade – County IT

- *Chairman Jackson asked Bruce Livingston, Information Technology Specialist, to go over the Office 365 Licensing Upgrade.*

Bruce Livingston, Information Technology Specialist, stated next week they must re-up their yearly subscription with Office 365. The subscription normally costs \$23,625 and the upgrade is

going to increase it by \$18,1555, which was not included in the budget. Mr. Livingston stated they inherited the cellphones from the Finance Department, and they are realizing a few issues. Mr. Livingston stated people are using their own personal Apple accounts, downloading anything they want, and if they lose a device, they cannot locate it. This upgrade will give them the power to find and fix missing or broken phones and it will work with their Apple MDA. This will allow IT to have all county phones under one umbrella and manage various things.

- *Chairman Jackson stated he asked earlier but needed further clarification on what was the difference between the standard and the premium subscription.*

Mr. Livingston stated the difference is they can do all the things they already mentioned. Mr. Livingston stated they looked at a few programs that allowed them to do this and IBM was one of them and the cost was similar. This upgrade will also help them with security and spam emails/calls. Mr. Livingston stated they will be able to do this with laptops as well.

The County Administrator stated he appreciated the IT Department's time on this project. The County Administrator mentioned they met with Supervisor Jewett to review it as well. The County Administrator stated it sounds like more security enhancements. The County Administrator deferred to Supervisor Jewett to add more, and he would like to discuss the budget.

- *Chairman Jackson asked if Alan Berry, Systems Administrator I, had anything to add about the update before the County Administrator discussed the budget.*

Alan Berry, Systems Administrator I, stated when they took on the phones, he went through all the phone to see where they stood with them. Mr. Berry stated without any kind of mobile device management, if something happened to those devices, there is nothing they can do. Mr. Berry gave a few examples of phones and iPads they could not get access to, and the amount of money lost due to this.

- *Chairman Jackson asked the County Administrator to go over the budget.*

The County Administrator stated the Finance Director has met with the IT Department regarding the subscription upgrade. Since it was not in the budget, the County Administrator wanted to explain where the money was coming from. They programed roughly \$30,000 for system administration assistants for the ERP program. ERP is new for Madison as well as providing support to IT for the function of those ERPs. The IT Department stated they are live in certain phases of the ERP and IT feels they have a better handle on it, and they are not going to touch a lot of the money in that account. If the Board agrees, they will do a line-item transfer and he will



notify the Finance Director that the County Administrator approves it. The County Administrator stated the funding is there if the Board supports this.

- *Chairman Jackson asked how much is there.*

The County Administrator stated there is around \$36,000 and they would be using around \$18,000. The County Administrator stated he has had many ERP discussions with various departments, and they do not need all those funds. The County Administrator stated Supervisor Jewett can add more regarding what this service can provide.

- *Supervisor Jewett stated he met with Mr. Livingston, Mr. Berry, and the County Administrator. Supervisor Jewett stated Microsoft Intune provides remote mobile management to devices, which is important because every device they have is a door into the network. This allows remote management administration, and it allows remote security. Supervisor Jewett stated they are moving in the right direction regarding intergrade, comprehensive, and cooperative security in IT with other departments in the county, which has been a challenge. Supervisor Jewett stated they cannot have disparate security approaches across county departments. Supervisor Jewett stated since Mr. Berry came on, the IT department's performance has improved dramatically. Supervisor Jewett stated Mr. Berry's professional progression has exceeded expectations. Supervisor Jewett stated when they talked about adding the position, they mentioned it would reduce consultant fees over the long run, which is what they want to do. Supervisor Jewett stated this package is good and it allows them to use things such as SharePoint.*

Mr. Livingston stated over the next year they expect their exchange to be moved to Azure, which is in the cloud. Intune works with all the Microsoft tools in Azure that they are going to use. Mr. Livingston stated insurance with cyber security is coming up and they are going to dictate to them anyway, which leads to the cyber security proposal that is coming up and has been budgeted for FY24.

- *Chairman Jackson stated it looks like they are looking for potentially more vendors on the cyber security side, and he asked if they have a proposal from ANS for this. Chairman Jackson stated it looks similar to what Skyline uses, Helix. Chairman Jackson asked if they are going back to find different providers for cyber security.*

Mr. Livingston stated that would be a decision for the board and the County Administrator. At this point, he has not, but they can if they decide that is what they would like to do.

- *Chairman Jackson inquired if there are any other questions on the original proposal, which there were not. Chairman Jackson asked the County Administrator why they would wait and not pass it right away.*

The County Administrator stated it was presented tonight as information because Mr. Livingston has a deadline, he felt it was vetted enough, and the money was available. The County Administrator stated the Board can act, but it is not necessary. The County Administrator clarified that what was included in the agenda packet tonight was only the Microsoft 365 upgrade. They will talk to other vendors for the security proposal, which is part of their due diligence, and then sit down to have another meeting. The item tonight is to inform the Board of the subscription update unless the Board does not like that idea.

- *Chairman Jackson stated all this blends together and they tie together as components of the network security. Chairman Jackson stated they have a potential upgrade for Office 365 and the recommendation is the premium package.*

The County Administrator added the Board could vote or he can Administratively do it if the Board is okay with that.

- *Chairman Jackson asked the Board if they are fine with that, and all the Board members agreed. Chairman Jackson stated now they talk cyber security.*

The County Administrator asked Mr. Livingston if he had anything else to add, which he did not. The County Administrator stated he felt that was something they could come back to once they had more information from additional vendors. The County Administrator stated he recommends bringing cyber security back as a staff report and mentioned they have it budgeted for FY24. The County Administrator stated the Finance Director and IT did a fantastic job and she has a spreadsheet that breaks down every item under the data processing line item.

- *Chairman Jackson asked the Board if they had anything to add.*
- *Supervisor Jewett stated the next step for the cyber security program is being researched right now and there are things to consider aside from finding a provider who will do it for the best price. Supervisor Jewett stated he asked Mr. Livingston to summarize the pen test (penetration test) that was done last October and the policy going forward with that.*
- *Chairman Jackson asked what the pen test was.*
- *Supervisor Jewett stated they attack you.*

Mr. Livingston stated it is a test to see how secure your network is. Mr. Livingston stated he sent Mrs. Turner a document and asked her to pull it up.

The County Administrator asked if it was for the pen report.

Mr. Livingston stated it was.

The County Administrator stated he can pull it up, but stated he thinks Supervisor Jewett wants him to give a summary of the report.

Mr. Livingston stated it had a lot of different things in it and he has not gone through it in detail recently. Mr. Livingston stated he did not have time to look at it today because of the EMS needing IT support.

The County Administrator asked the Board if they could come back with a summary of the report that was reference when they come back with the staff report for cyber security.

- *Chairman Jackson stated that sounds like a good plan.*
- *Supervisor Jewett stated based on the cursory review that he did of the report, there were no critical problems identified in the pen test. During the pen test, they get in the network, check all the end points, check the nodes to see if they can mess with them, and they could not do it. There was a really good level of security, but that does not mean they should not try to enhance it. Supervisor Jewett stated they should be doing the pen test twice a year. The recommendation was to do it up to once a quarter, but they felt twice a year would be sufficient. It is \$750 to do a pen test and it is cheap insurance.*

Mr. Livingston stated they are due for one now and they have money in the budget to schedule one. When they do select a plan for cyber security and everybody understands exactly what they are getting out of that, there are some infrastructure vulnerabilities that they need to close.

- *Chairman Jackson asked Mr. Livingston how long he has been working for the county.*

Mr. Livingston stated it has been about three years.

- *Chairman Jackson stated they stood up an IT Department in three years and just got their second staff. Chairman Jackson stated there are going to be some vulnerabilities and it sounds like they are going down the right path.*

Mr. Livingston stated there is a whole lot of positive going on. Mr. Livingston stated Mr. Berry is doing a good job and having him on board allows him to do other things like saving money on Tyler Munis. Mr. Livingston feels they have enough money left over if they need it but is confident that they can handle it. Mr. Livingston stated when they first put the ERP project together there were some things that were underestimated, and they had to spend the money upgrading the backup system or they would not be able to start using Laserfiche. Mr. Livingston gave an update on the progress of getting Fiber. Today they had a switch burn out during the power outage, but they were able to fix it on their own and it would have cost a couple grand if they had to call ANS in to do it. Mr. Livingston stated things are busy and fun.

- *Chairman Jackson stated the Board notices their hard work and they appreciate them in every way.*

Mr. Livingston stated the Board can ask them any questions and they will be willing to chat.

- *Chairman Jackson stated they are doing a great job and they are trying to catch Madison County up to the 21<sup>st</sup> century.*

#### 10. New County Website – County IT

- *Chairman Jackson asked Alan Berry to give an overview of the new county website.*

Alan Berry, System Administrator I, stated the new county website is live. Mr. Berry stated he expected to be up and running yesterday. The DNS provider who tells all the traffic to go to the new website rather than the old one was taking longer than planned. Mr. Berry stated within two hours of the new website being live, they received a job application for the Victim Witness Coordinator position. Mr. Berry stated they are on a TTL, which stands for time to live, delay of six hours.

- *Chairman Jackson stated some people will be able to pull up the old website while other will pull up the new one. Chairman Jackson confirm that Mr. Berry was saying by tomorrow everyone will have the new website.*

Mr. Berry stated it should be fully migrated over by seven or eight o'clock tonight.

- *Chairman Jackson asked Supervisor Jewett if he has seen the new website.*
- *Supervisor Jewett stated he has.*
- *Chairman Jackson asked Supervisor Jewett what he thought.*

- *Supervisor Jewett stated once it gets all completed, he thinks it will be pretty good.*

Mr. Berry stated the new website is a massive improvement compared to the old. Mr. Berry stated they have functionality they did not have before. The look of the website has improved.

- *Chairman Jackson advised discussing VDOT while IT got the new website on the projector screen.*

The County Administrator stated there are a few roads he wants to give the Board updates on. The County Administrator stated Turner Drive is still a work in progress. They had a letter to give to VDOT to see if they could push the project forward so they could do surveying to determine a cost estimate. The County Administrator stated the Board has already put the first half of Turner Drive into the Secondary Six-Year Road Plan and the plan is to use TeleFees, which is money designated to come to the county and there was about \$200,000 left over from previously. The Board wanted to get estimates for additional roads to bring back for consideration for next year's Secondary Six-Year Road Plan. The County Administrator stated VDOT informed him that they did not have enough information. The County Administrator asked VDOT what information they still needed and how they can get the project moving. The County Administrator stated Carrier Shephard, from VDOT, is supposed to give him a call regarding that very soon. The County Administrator stated the goal is to get whatever they need to get surveying out there to get an estimate. The County Administrator stated at a previous meeting there was a request for a second traffic count to be performed on Clore Road. When they initially went out there, he did not think the traffic counter was put in the right place. When they went out a second time, they looked at the width of the road to see if it would qualify for the rural rustic program. VDOT reported back that the road is too narrow and there would be need of additional right of ways should the county want to proceed. The County Administrator stated he has a resident that has asked about this, and he needs to give an update. The resident would like to see this proceed forward, but he needs direction from the Board. The County Administration explained the two funding options, which are TeleFees funds or revenue share, and it is case by case regarding which funding is available to be used.

- *Chairman Jackson inquired if revenue share meant direct money from the county and not appropriated funds through VDOT.*

The County Administrator stated that was correct.

- *Chairman Jackson inquired if the other Board members had any interest in Madison County direct tax dollars going into road improvements.*

- *The Board members stated they did not.*
- *Chairman Jackson stated River Road is a Secondary Six-Year Road Plan type of conversation. Chairman Jackson encourage them to come back in April or May when they discuss the Secondary Six-Year Road Plan again.*

The County Administrator stated he will contact them. The County Administrator mentioned VDOT may provide feedback stating the width is X and without widening it, it would not qualify for any Secondary Six-Year Road Plan.

- *Chairman Jackson stated if it needs to be wider, then adding it to the Secondary Six - Year Road Plan will allow them the proper amount of time to gather the correct easements.*

The County Administrator stated they would want, which is similar to what they are doing with Turner Drive, to identify what funding program this would qualify for. The County Administrator stated they must fund things to begin the process, such as surveying to get an estimated amount.

- *Chairman Jackson confirmed they are doing surveying on Turner.*

The County Administrator stated they are trying to get it there and they have a good funding source for that.

- *Chairman Jackson asked where that funding source is coming from.*

The County Administrator stated funding is coming from TeleFee funds.

- *Chairman Jackson stated they are trying to get VDOT to survey and with the potential of additional easements.*

The County Administrator agreed.

- *Chairman Jackson inquired the different between Turner Drive and the River Road project.*

The County Administrator stated he would follow up on this at a later meeting, but he believes the difference is the funding source. The County Administrator mentioned that the VDOT is due

for their quarterly presentation August 8<sup>th</sup>, and he will ask VDOT to speak about what criteria determines TeleFee fund projects versus revenue shares.

- *Chairman Jackson inquired what other VDOT updates the County Administrator had.*

The County Administrator stated Desert Road is on the Secondary Six-Year Plan and he had a resident ask about the status of that. Originally, VDOT put that into two different phases of prep-work before paving. VDOT has indicated that paving will begin between mid to late August of this year and it will be paved all at once. The County Administrator stated the Smart Scale Project made it through CTB and their next step is developing their scoping. After that they will then approach property owners about any right of way acquisitions. They did not commit to a hard date, but stated scoping could occur in September.

- *Chairman Jackson clarified that was for the roundabout in the Pratt's area.*

The County Administrator stated that was correct. There are two Smart Scale Projects, and one in the Shelby Road area that will start construction soon. The County Administrator stated the Smart Scale Project he is referring to is the roundabout to improve the intersection of Fairground Road, the intersection of South Blue Ridge Turnpike and Orange Road. The County Administrator mentioned the scoping of the work is where they define the cost and then they go to speak with property owners. VDOT believes planning the scope of work will begin in September.

- *Chairman Jackson inquired about the timeline at Shelby.*

The County Administrator stated the one at Shelby should start construction late this year. The County Administrator mentioned he would let Carrier Shephard, VDOT representative, know to give an update on both Smart Scale projects.

- *Chairman Jackson inquired if anyone else had VDOT questions, which they did not. Chairman Jackson asked Supervisor Yowell how things were going on Emmet Road.*
- *Supervisor Yowell stated there have been issues on Gibson Hollow Road and he would like the County Administrator to pass along, which he agreed to do. Supervisor Yowell stated they went up Etlan Road and they patched and resurfaced in a lot of areas. Supervisor Yowell stated at DuCard, which is off Gibson Hollow Road, there is a large drop off and the tractor-trailer and any construction equipment coming in and out are dragging and getting damaged. Supervisor Yowell stated Scott Elliff, the owner of DuCard, asked if they could come in and shave it down.*

The County Administrator stated he has not talked to Mr. Garr yet, but it is on his list to talk to the local office directly to see if that could be handled as a maintenance request. The County Administrator stated he will let the Board know how that conversation goes.

- *Supervisor Yowell inquired why there are two huge tar tankers sitting at Greystone and paving equipment sitting at Smith Farm before you go down to Pass Run.*

The County Administrator stated he would look at the paving schedule to see if there is paving scheduled in that location.

- *Chairman Jackson stated he thought they were paving towards standardsville this year.*
- *Supervisor Hoffman stated they have already completed the patching in that area.*
- *Supervisor Jewett stated he is still getting concerns regarding Route 230.*
- *Chairman Jackson gave an overview of the roads they plan to discuss with VDOT and asked if anyone else had anything to add, which they did not. Chairman Jackson asked Mr. Berry to tell them about the new website.*

Mr. Berry stated he will give a quick overview of the main facets of the website and if they had specific things they would like to look at to just jump in. (The website was on the projector screen as Mr. Berry went through it). The bottom of the main page has similar buttons to the old website. There are two new additions which are the “Forms” and “Employee Only” button. The “Employee Only” button is the county’s intranet and is for employee documents. The “Forms” page is a forward-facing document center for the public. Mr. Berry gave examples and showed the Board items listed under the “Employees Only” page and the “Forms” page.

Mr. Berry stated the pictures on the website were provided by Mr. Livingston, Information Technology Specialist, except for the one that is an aerial drone footage of the fireman’s parade.

- *Chairman Jackson and Supervisor Yowell stated that one was from Tracey Gardner, Economic Development & Tourism Director.*

Mr. Berry gave an overview of the “Newsflash” section on the main page. This is where the county can see updates that are non-emergencies. Mr. Berry explained the ones currently listed, which are the new website notification, Hyper-Reach information, and the county’s



business directory. Mr. Berry explained the various places to access Hyper-Reach through the website. Mr. Berry gave an overview of the calendar center on the main page. Mr. Berry went over the mega-menus, which are the buttons at the top of the screen. The only thing Mr. Berry thought might throw people off is that elected officials are under the "Government" tab, not the "Department" tab. Mr. Berry pointed out that on the old website all departments were under the "Government" tab. Mr. Berry pointed out a few items located under the "Government" tab. Next, Mr. Berry discussed what was located under the "Community" tab. After that, Mr. Berry explained the many items listed under the "How Do I" tab. Mr. Berry explained the different county notifications and alerts.

➤ *Chairman Jackson asked Mrs. Turner what items she would like to talk about.*

Kim Turner, Deputy Clerk, gave an overview on where boards and committees are located on the website and where to find agendas and meeting information.

➤ *Supervisor Yowell stated finding the agenda and minutes is similar to the old website.*

The County Administrator asked Mr. Berry if he wanted to run through how to sign up for notifications and alerts. The County Administrator gave an overview of how different departments can send out notifications. The County Administrator stated the new website has new features that he is excited about and the opportunity it brings to the public.

Mr. Berry gave a step-by-step explanation on how to sign up for notifications and stated it is quite easy.

➤ *Chairman Jackson stated the website looks good and if it encourages transparency and communication with the public then they are doing it the right way.*

➤ *Supervisor Yowell added that it looks good.*

➤ *Supervisor Jewett asked if there is a version for phones and tablets.*

Mr. Berry stated that it does.

Mr. Livingston and Mr. Berry stated it is cheaper than the old website. Mr. Berry stated they are saving around \$6,000 a year.

➤ *Chairman Jackson stated that is great. Chairman thanked Mr. Berry for his hard work on the website.*

The County Administrator asked Mr. Berry to show the Board the ticketing systems on the website, which he did as the County Administrator spoke. The County Administrator stated this system will accumulate data and will help Facility & Maintenance create reports. The County Administrator stated that Mr. Berry created this form, and it gives them a way for the information to be submitted by the user, the user receives confirmation that it was submitted, and when Moonie Frazier, Facilities & Maintenance Manager, closes it out, they get a notification. The County Administrator stated it is a communication tool as well as a tracking tool.

- *Chairman Jackson asked how much this cost the county.*

Mr. Berry stated everything he just put on the screen is included in their Microsoft subscription.

- *Chairman Jackson stated it looks very good and being able to track it with reports is organized. Chairman Jackson asked the Board if they had any questions for IT, which they did not.*

## 11. VDOT Updates

Discussed above while IT set up.

### **PUBLIC COMMENT**

---

With there being no public comment, the public comment section 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.

Seconded by Supervisor Dawson.

**Aye: Jackson, Yowell, Hoffman, Dawson, Jewett. Nay: (0) Abstain: (0) Absent: (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) Abstain: (0) Absent: (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) that were identified in the motion to convene in closed session were heard, discussed, or considered in the closed meeting, seconded by Supervisor Dawson.

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

*As a result of the Closed Session, the Board did not take further action.*

**ADJOURN**

---

With there being so further business to conduct, Supervisor Dawson made a motion to adjourn, seconded by Supervisor Jewett.

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

---

R. Clay Jackson, Chairman  
Madison County Board of Supervisors

---

Jonathon Weakley, Clerk

Copies: Board of Supervisors, County Attorney & Constitutional Officers

Adopted on: August 22nd, 2023.

---