**MEETING #37– July 23**

At a Special Workshop Meeting of the Madison County Board of Supervisors on July 23, 2014 at 6:00 p.m. in the Thrift Road Office located at 302 Thrift Road:

PRESENT: Doris G. Lackey, Chair
R. Clay Jackson, Vice-Chair
Jonathon Weakley, Member
Robert W. Campbell, Member
Kevin McGhee, Member
V. R. Shackelford, III, County Attorney
Ernest C. Hoch, County Administrator

ABSENT: Leo Tayamen, Finance Director
Jacqueline S. Frye, Deputy Clerk

**Agenda:**

**1. Call to Order**

2. **Pledge of Allegiance & Moment of Silence**

The Board of Supervisors commenced their meeting with the Pledge of Allegiance and a moment of silence.

**3. Determine Presence of a Quorum**

Chairman Lackey advised that a quorum was present.

**4. Adopt Agenda**

Chairman Lackey called for adoption of today's Agenda.

*Chairman Lackey called for the addition of Criglersville Elementary School to today's Agenda (Item A-1).*

*Supervisor Campbell moved to approve the Agenda as amended, seconded by Supervisor Jackson.*

with following vote recorded:

| | |
|---|---|
| Doris G. Lackey | Aye |
| R. Clay Jackson | Aye |
| Jonathon Weakley | Aye |
| Robert Campbell | Aye |
| Kevin McGhee | Aye |

**5. Discussion Items:**

***a. Voting Location***

Jody Shelatz, Electoral Board member, was present and advised the electoral board has been investigating potential voting locations in the Town limits that are within one (1) mile of the Town. A request has been submitted to the State Board of Elections to change the existing location to see if the location can be located outside of the boundary of the Town, although no response has yet been received.

The following locations are being reviewed/considered:

- Beth Car Church (47 parking spaces plus gravel & grass lot)
- Methodist Church (32 parking spaces plus gravel)
- War Memorial Building (although there are concerns about handicap accessibility)

The average number of voters for the Madison precinct average 110 citizens per hour (i.e. two [2] citizens per minute) (43+ parking spaces)

Locations within one (1) mile outside the Town limits include:

- American Legion (39 parking spaces plus grass)
- Antioch Baptist Church
- Madison Fire hall (96 parking spaces plus grass)
- Madison Rescue Squad (11 parking spaces)
- Presbyterian Church (off Fishback Road) (58 parking spaces)

Contact will be made with each of the aforementioned locations regarding future usage for the voting event; inspections will need to be done to ensure ADA compliance guidelines are met as required by the State Board of Elections.

It was noted that:

- A public hearing may be necessary
- Citizens must be notified within sixty (60) in the event the voting location changes
- The local schools aren't deemed appropriate (i.e. most usable rooms in each school are located directly near staff and students)

The County Administrator advised the Board will need to take action by the September 2014 meeting process.

Chairman Lackey suggested the Madison Electoral Board provide a recommendation to the Board in August, as it appears the time frame being discussed is a viable option.

Mr. Shelatz questioned the time frame in which the Board would like the administrative auditorium vacated for constructional purposes.

Supervisor Campbell advised, in his opinion, there isn't an urgency to vacate the auditorium until after the November election, and doesn't feel there is a rush to start renovations.

The County Administrator advised there may also be a conflict with the proposed reconstruction of the roof at the administration office; once the project is underway, it will create some inconvenience. In the event the Board elects to delay the work, the possibility of having to deal with construction on the roof and building can transpire after the November election. In closing, he noted the election dinner is usually held the same night as the election and would require voting activity to be limited to the rear bay area of the facility.

Chairman Lackey feels it will be easier for citizens to vote in a location that will not call for them to deal with construction.

Supervisor Campbell advised when construction starts at the administration center, there's a possibility the building will be unusable, depending upon what's discovered, and may cause the departments housed there to be relocated.

Mr. LeVally advised it's hoped the decision to change the voting location will be permanent and not evolve into an ongoing temporary arrangement; he also noted the Commonwealth of Virginia is planning to require that Madison County replace the existing voting machines, although the time hasn't yet been advised; equipment will call for special handling and storage that exceed any present space currently available to the Registrar.

Supervisor Weakley questioned if there are any available costs associated with the requirement that can be included in the next budget cycle (i.e. purchase, storage, etc.).

Mr. Shelatz advised the voting equipment will cost about $6,000.00 each (i.e. eighteen [18] to twenty [20] units will be required); some funding may be provided from the State. In the event the fire hall is used as a voting location, usage of the entire bay area will be required. It's also felt the proposed changes for voting requirement may occur before 2016, which may call for re-training of election officials. Due to the age of the existing voting equipment, it cannot be used by other localities. Also, in the event one of the existing voting units becomes inoperable, it's illegal to purchase another machine from the company, but one can be purchased from another locality that uses the same type of equipment.

Supervisor Weakley questioned the life expectancy of the proposed technology and any reassurance.

Although nothing has been provided to date, it's felt the use range will be within five (5) to ten (10) years, and will be more efficient and 'user friendly.'

Chairman Lackey suggested a recommendation be provided to the Board by the August Joint Meeting (1st Wednesday at 7:00 p.m.) or the August Regular Meeting (2nd Tuesday at 4:00 p.m.) in order for the process to move forward in a timely manner.

Mr. Shelatz advised the electoral board will meet on July 27th; an update will be provided to the Board prior to one of the upcoming scheduled meetings.

***a-1. Criglersville Elementary School:*** Chairman Lackey advised of a recent article in the Madison Eagle on the school that indicated all Board members being fairly quoted on individual thoughts; the journalist has developed the conclusion that all Board members would like to support a public hearing for the neighborhood, (i.e. stakeholders in that specific area of the County).

Board members were urged:

- *To read the architectural/engineering report performed by Crabtree, Rohrbaugh Associates, Inc. for the old Criglersville Elementary School and other County school buildings*
- *To understand the structure is in worse shape than all members believe*
- *To realize it costs the County about $12,000,000,000 to renovate the middle and high school and these facilities are in reasonably good shape (as deemed by the architect)*
- *To be aware of problems with the drain field, insurance and septic system*
- *To note the facility is situated in a flood plain)*
- *Be advised there's a significant scope of work that would be required in order to save the structure.*

Chairman Lackey suggested all members schedule a time to walk through the structure prior to scheduling a public hearing for the public.

Supervisor Jackson advised he feels it's the Board's responsibility to provide some viable plans/options to perhaps include:

a) Potential sale value
b) Costs of demolition
c) Costs to renovate the property

And have the information ready to be considered and/or discussed during the public hearing process.

The County Administrator will plan to compile a list of options for review/consideration to include estimates for demolition of the facility. In closing, it was noted the structure was on the market at one point.

Not only are there issues with the structure, there is no internet access and the site isn't an ideal location for a modern business, and it would cheaper for a business owner to build a structure as opposed to the costs involved with renovating the old

school; the facility isn't ADA accessible, all toilets will need to be redone, the roof will need to be replaced and there is no centralized heating system.

Supervisor Campbell feels the old school will be a perfect storage building as opposed to building a new storage building.

Chairman Lackey suggested the Board look to schedule a public hearing in September-October 2014.

Supervisor Weakley advised if demolishing the building is an option, would the citizens be allowed accessibility to any of the remains.

The County Administrator advised the Board could hold a community event and elect to sell pieces/remnants that remain after demolition.

It was also noted the Board could elect to allow the PRA to use the area or possibility be presented with ownership; a park, visitor's center, kiosk, or a Hoover School were additional options for consideration. It was noted if the property gets into the wrong hands. It could become an eyesore in one of the County's most beautiful areas. In closing, it was suggested the County take control of the destiny of the property.

Supervisor Jackson advised that most folks are in favor of a future park at the site; however, if the property is relinquished to the PRA, it will involve a greater amount of funding from the County.

Chairman Lackey advised the children residing in the Criglersville area have to travel a great distance for practice; having fields at the location would be an asset.

Supervisor Weakley also questioned if a wayside (i.e. fishing) could be a possibility.

In closing, it was noted there is much information to be discussed; the Board members were encouraged to pall along any viable ideas to the County Administrator for discussion and/or consideration.

After discussion, it was the consensus of the Board to review and/or consider any ideas in mid-September and schedule a public hearing in October.

***b. Salary Study:*** Chairman Lackey advised the Board has two (2) additional activities to handle:

- Have a discussion about how best to approach this issue; and
- Enter into a closed session to discuss individuals

And questioned what each member deemed to be the most important criteria with which to proceed with the salary adjudication process.

Comments from the members included the following:

- ✓ Chairman Lackey: Believes the best thing the Board can do is to have very good job descriptions of each position and have a salary range; if an employee can do the work described within a salary range – where the employee fits within the range is based on experience, education, etc. She referenced the job descriptions and requirement criteria utilized in the VACo newsletter. Furthermore, she opposes making those salary adjustments based solely on merit, as she feels if parameters are established for a position and the person can perform the work, merit is something that could be utilized for step increases, but not be the governing factor for the salary.

- ✓ Supervisor McGhee: Questioned what "merit" actually means; values the fact of experience; respects 'merit' and feels the Board should recognize employees who take on increased responsibilities; recognizes the importance of education as well (i.e. certifications, etc.); not well satisfied with 'across the board' increases, although he does understand the concept of COLA.

- ✓ Supervisor Jackson: Feels that experience and merit are important; smaller increases don't pose a problems, although the proposed larger salary increases are of some concern; feels that being a County employee does provide some job security which isn't monetarily assessed; educational steps are merit based if degrees are attained and is more to add to one's resume'; not in favor of 'blanket' pay; job environment for teachers and law enforcement are very competitive, and the County does have employees who have been with the County for a long time – although this is worth something, he doesn't feel the environment is a competitive one; many of the longer-term employees are invested in the community and local government; feels the issue of longevity is misconstrued in that there is an asset to having employees on board for a long time; feels that merit can be based on services rendered.

Chairman Lackey questioned members' ideas of placing a value on the type of work required for specific jobs.

- ✓ Supervisor Jackson: Feels if roles/responsibilities have been increased or expanded, this should be compensated for.

- ✓ Supervisor Campbell: Feels that merit pay is subjective; in certain jobs, the duties don't change and the value of the position is only worth so much; feels the County has a lot of employees that meet this type of criteria; if averaged, the benefits (i.e. retirement, healthcare, life insurance) equals about $12,645.00 average per County employee; doesn't feel anyone is at least twenty percent (20%) underpaid; some of the proposed raises are in excess of twenty percent (20%); can see a 'see-saw' effect (comparing local salaries

to comparable positions in Northern Virginia); feels the proposed increases are out of line and don't merit discussion; believes folks are paid for the job they're elected to do; thinks today's proposal is something the Board shouldn't rush into, but can work on the issue during next year's budget sessions and do things correctly.

- ✓ Supervisor Weakley: Supports merit increases and not 'across the board' raises, which he feels could be considered as "COLA"; believes in job descriptions and feel that all descriptions should denote the status (i.e. full-time, part-time, exempt, non-exempt) for all County employees; feels there needs to be grades and ranges for all positions; feels that a merit increase is a combination of experience, responsibilities, etc., and should be based off a form and should show some specification as to how the employee is being rated (i.e. reliability, assumes additional responsibilities, etc.); merit system is different than longevity, as this addresses tenure; feels there are ways to approach COLA, longevity and merit; although there are inequities, he doesn't feel prepared to make a decision on the salary issue tonight suggested it be discussed further; options have been provided by the County Administrator that would be effective within the next month and/or further out; suggested the larger increases be discussed in a closed session; suggested something be included in the personnel policy to address longevity and a proposed process.

- ✓ Chairman Lackey: Advised the Board has been discussing the salary study for over a year and funding has been placed into the contingency fund in order to implement corrections; feels the thoughts being discussed have focused on a process; there is a defined County personnel policy that denotes a range; each position has a job description; criteria involves whether each individual performs the work noted in each job description in an adequate or superb manner.

- ✓ Supervisor Campbell: Advised the Board had indicated during the budget public hearing there would be no raises this year and that $100,000.00 was allocated to perform a salary study.

- ✓ Chairman Lackey: Reiterated that funding was allocated to make salary adjustments.

The County Administrator provided an overview of Board actions (2005 to the present) pertaining to the request for a salary study to be performed for the County. It was noted that adjustments have been implemented over the past several years in specific departments; the salary study was initially done to offset identifiable inequities noted for employees who have been in place for a while and haven't kept up with their peers in surrounding areas based on the responsibilities in their job responsibilities. County employees and responsibilities in the jobs they're doing; County employees are very professional and take pride in what they do for the

County; there are personnel who tend to emergency issues at all hours (day/night) and employees.

The County Administrator expressed additional views on tonight's topic and advised the Board there are several staff members who have assumed additional duties; the County doesn't have multiple assistants in place like other localities currently do, which calls for County personnel to perform multiple tasks in our small locality. The salary study assessed what employees should be compensated based on their comparable position in other localities (Orange, Culpeper, Greene). Although there are benefits to being a government worker, there are many downfalls, as Madison County offers the least amount of pay for employee benefits than the surrounding localities, and nobody is at the 'max' for their position; the pay scales does give everyone a listing of where they fall in their responsibilities. He urged the County look at the surrounding localities and weigh the averages. Additionally, he has seen some localities go out of control because of having too many people on board that refuse to perform have seen some localities go out of control because of having too many people who refuse to perform tasks they feel isn't their job – this doesn't happen here.

He further noted the County set aside $100,000.00 two (2) years ago for a study; the prospect was discussed with department heads and staff. He further noted the eleven (11) people that are being proposed for an increase do their jobs; descriptions are very plain and these folks are basically doing 3x the work than what's listed in their job description; Madison is perceived as a little poor place, which isn't true, as the composite index is 48% instead of being 26% as it is some neighboring localities that are less fortunate; the County does it's best to meet the needs of its citizens; the budget is solid and the fund balance is steadily increasing year. He suggested the employee leave benefit be assessed (for new hires), as the County is seen as a 'training ground' for emergency services personnel who come here, attain certification, and then leave with accumulated leave payout.

Should the Board desire, all employees can be replaced; however, the County will suffer in the long fun. In closing, he noted that County personnel save this County each day and night, and the employees run the County like it's their own business.

The County Administrator advised this is a one-time adjustment; something will need to be discussed regarding the future; employees need to be at a fair rate for the work they do; once this is completed, the second part of the memorandum can be discussed regarding COLA and merit increases so the County doesn't fall behind in the future. Because of a lot of adjustments done over the years, there aren't a lot of adjustments that will be needed; folks will always be jealous over others making more money, but the increases are being proposed for the work that's being done; folks can further themselves here – opportunities to grow can be found here and employees need to be taken care; morale is good, but teeters based on how the Board treats employees or how the citizens perceive employees; Board is the one

who needs to either support employees or 'throw them under the bus; you can elect to remove everyone, but the County will suffer for it.

Supervisor McGhee: Understands the $100,000.00 was set aside for the salary study; he's in favor of doing the best that can be done to fairly distribute the funds to make necessary adjustments to get the salaries in line as planned.

The County Administrator advised that he doesn't accept sub-standard excuses and wants people to do things on their own; doesn't believe in micro-management and wants staff to take the initiative to do things; the County is fortunate to have the folks that work here; morale is very delicate and can change at a moment's notice; department head meetings are held monthly; the salary study has been discussed since he came on board, and employees have known this item has been under observation since 2005. Although specifics can be discussed at another meeting, today's document is the starting point - increases have also been integrated for some of the constitutional office employees.

Supervisor Weakley: Feels many of the adjustments are incremental.

Supervisor Campbell: Appreciates the County Administrator's comments; advised he does care about County employees; everyone has a job to do, but the Board was elected by the citizens and are charged with managing resources for the citizens; takes that responsibility very seriously; doesn't feel there are any County employees that are being mistreated nor would he accept anyone being mistreated; if some aren't getting as much as they desire, this transpire daily; appreciates the County Administrator's passion for County employees, but doesn't feel the Board can 'give away' the County's funding just to make the employees feel good.

Chairman Lackey: Understands comments being verbalized by Supervisor Campbell and there is merit to the comments; feels the Board has an obligation to move the County forward for the benefit of all the citizens and that means good help is needed in order to accomplish this; has seen the employees in the County mistreated – has seen employees bullied and have seen Supervisors act in a very inappropriate way in the last 25 years – some good/some bad, but will admit the morale, appreciation and respect for County employees is better today than it has been in a long time; feels this factor shows because the County is moving forward economically (i.e. fund balance is growing) and the County is in better shape than it has been in a long time, which is thanks to the good work of the Administrator and those of us who care about the County and moving forward.

***Public Comment:***
Chairman Lackey opened the floor for public comment.

With no comments being provided, Chairman Lackey closed the public comment opportunity.

**6. Information/Correspondence (if any)**
**<u>CIP/School Project</u>**:
Supervisor Campbell advised the CIP meeting was scheduled today; although the project manager did provide a progress report to advise the project is moving along reasonably well; he also verbalized concerns regarding the fact the school system hasn't provided the county's CIP members with a copy of the progress schedule that's provided to the project manager each week, which is a bit suspicious; also noted there has been no paper trail provided by the contractor that extra time and/or funding will be requested before the project is complete, as there is still much electrical work that will be needed; also feels the Board needs to be aware of the fact ; also referred the fact there will be extra money from the contingency fund (i.e. $370,000.00) that has already been used for items noted in the contract that weren't funded (i.e. asbestos abatement, hidden pipes, etc.) with a price schedule (above the $10,259,000.00 that was borrowed). At this point, he feels there's enough funding for the total job, although he suggested the Board be concerned about funding required through August 2015.

Chairman Lackey questioned if pressure will need to be applied to the electrical contractor.

The County Administrator advised it appears everything is being done that's needed, as Blair Construction is responsible for the work and will manage the sub-contractor.

Supervisor Weakley verbalized concerns of reports that a couple of the science labs will not be completed in time for the start of school, the asbestos, and whether the contingency funding for the project will cover these concerns.

The County Administrator advised that funding has been set aside for these concerns; he advised there was an issue with a pipe that has now been resolved. Additionally, there is an unforeseen issue with the gym roof that could end up costing extra in the long run.

Supervisor McGhee concurred with comments made by Supervisor Campbell regarding the fact that no paper trail has been initiated by the contractor.

Supervisor Campbell advised that when additional time will be needed, most contractors initiate a paper trail before the project is within four (4) weeks of being completed. If progress reports are regularly provided and the contractor files for liquidated damages, the County would be able to refer back to the schedules and research whether the report was falsified; this would give the County some legal standing in regards to liquidated damages, as the fee for liquidated damages are $2,000.00 per day. In closing, he's concerned about protecting the County from litigation.

After discussion, it was the consensus of the Board to establish the next special work session for Monday, August 4, 2014 at 6:00 p.m. at 302 Thrift Road.

Discussions focused on an article pertaining to the recent dog attack. It was advised the dogs will be in the custody of the County until adjudication has been complete.

Supervisor Weakley verbalized concerns as to whether the Animal Control Officers have the ability to protect themselves (i.e. firearms, pepper spray) while answering calls for dangerous dogs.

The County Administrator advised that one officer will be attending the academy for the next couple of weeks for training.

**Proposed Pipeline Concerns**:
Chairman Lackey also questioned if Rural Madison will set a time to meet with the County Administrator to discuss concerns about the proposed pipeline; she has inquired with VACo as to what measures other localities may be prepared to do, and if any State or Commission effort will be imposed. Additionally, if the pipeline will move through County property, she feels the locality should be compensated (i.e. taxes). In closing, it was noted that landowners are usually paid some initial compensation, but nothing after the pipeline is put into place.

**7. Closed Session (if necessary)**
***a. Closed Session:***

*On motion of Supervisor Jackson, seconded by Supervisor Weakley, the Board moved to convene in a closed session, pursuant to Virginia Code Section 2.2-3711(A)(1), pertaining to personnel matters, specifically involving personnel evaluations and performances and salary adjustments, with the following with the following vote recorded:*

| | |
|---|---|
| *Doris G. Lackey* | *Aye* |
| *R. Clay Jackson* | *Aye* |
| *Jonathon Weakley* | *Aye* |
| *Robert Campbell* | *Aye* |
| *Kevin McGhee* | *Aye* |

***b. Motion to Reconvene In Open Session***

*On motion of Supervisor Jackson, seconded by Supervisor Weakley, the Board reconvened in open session, with the following vote recorded:*

| | |
|---|---|
| *Doris G. Lackey* | *Aye* |
| *R. Clay Jackson* | *Aye* |
| *Jonathon Weakley* | *Aye* |
| *Robert Campbell* | *Aye* |
| *Kevin McGhee* | *Aye* |

***c. Motion to Certify Compliance:***

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

| | |
|---|---|
| *Doris G. Lackey* | *Aye* |
| *R. Clay Jackson* | *Aye* |
| *Jonathon Weakley* | *Aye* |
| *Robert Campbell* | *Aye* |
| *Kevin McGhee* | *Aye* |

**8. Adjournment**

With no further action being required by the Board, on motion of Supervisor Jackson, seconded by Supervisor Weakley, Chairman Lackey adjourned the meeting, with the following vote recorded:

| | |
|---|---|
| Doris G. Lackey | Aye |
| R. Clay Jackson | Aye |
| Jonathon Weakley | Aye |
| Robert Campbell | Aye |
| Kevin McGhee | Aye |

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Doris G. Lackey, Chairman
Madison County Board of Supervisors

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Clerk of the Board of Madison County Board Supervisors
Adopted on: September 9, 2014
Copies: Doris G. Lackey, R. Clay Jackson, Jonathon Weakley, Robert Campbell, Kevin McGhee, V. R. Shackelford, III & Constitutional Officers

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**Agenda**
**Special Workshop Meeting**
**Madison County Board of Supervisors**
**Wednesday, July 23, 2014 at 6:00 p.m.**
**302 Thrift Road, Virginia 22727**

**Agenda Items**

**1.** Call to Order
***2. Pledge of Allegiance & Moment of Silence***
**3.** Determine Presence of a Quorum
**4.** Adopt agenda

***Public Comment Opportunity (will be as close to 7:00 p.m. as possible)***

**5.** Discussion Items:
   a. Voting Location
      *i. Criglersville Elementary School*
   *b.* Salary Study

**6.** Information/Correspondence (if any)
**7.** Closed Session (County Administrator)
**8.** Adjournment

*ADDITION(S) DENOTED IN ROYAL BLUE AND YELLOW HIGHLIGHT*