



Agenda
Board of Supervisors Meeting
Tuesday, November 24, 2020 at 6:00 PM
County Administration Building, Auditorium
414 N Main Street, Madison, Virginia 22727

Call to Order, Pledge of Allegiance & Moment of Silence

Determine Presence of a Quorum / Adopt Agenda

Public Comment

Special Appearances

1. Recognition of First Responders for Swift Water Rescue (Jackson)
2. Mulatto Run Renaming (Becky Thompson)

Consent Agenda

3. Consent Agenda
 - A. Minutes from the November 10, 2020 Meeting

Constitutional Officers, County Departments, Committees & Organizations

4. Committee Vacancies (Frye)

Old Business

5. Report: Status of CARES Act Funding (Costello)
6. Report: Status of Financial Software Project (Costello)
7. Report: Status of County Administration Center Renovation Project (Hobbs)
8. Report: Status of Board Goals and Priorities (Hobbs)
9. Report: Status of Madison County Rescue Squad MOU (Gregg)

New Business

10. Consideration: Disposition of the American Legion Property (Jackson)
11. Consideration: Leathers Lane Improvement Work (Hobbs)

Information/Correspondence

Public Comment

Closed Session

Adjourn

Madison Virginia County Board of Supervisors Meeting
Tuesday, November 24, 2020 – 6:00 PM (EDT)
Remote Access Instructions

Vimeo Live Stream.

<https://vimeo.com/event/483138>

Secondary link if needed due to technical problems.

<https://vimeo.com/event/483134>

Go To Meeting

Madison Board of Supervisors 6PM Nov 24th
Tue, Nov 24, 2020 5:50 PM - 9:00 PM (EST)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/450283157>

You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (872) 240-3212
- One-touch: [tel:+18722403212,450283157#](tel:+18722403212,450283157)

Access Code: 450-283-157

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RESOLUTION #2020-29

A RESOLUTION TO RECOGNIZE THE EFFORTS OF MADISON COUNTY PUBLIC SAFETY AGENCIES

WHEREAS, On Thursday Nov.12th at 0004 A.M. The Madison county 911 dispatchers received a call for a woman and small child trapped in rising flood waters.

WHEREAS the Madison Sheriff's Office, Madison County Volunteer Fire Department and Madison County Emergency Management Services all responded to the call located on Jacks Shop Road, with Brian Gordon, Director of Emergency Communications, being the first to arrive, followed closely by Deputy Donald Dillon; and

WHEREAS, after quickly assessing the situation, which was deteriorating rapidly, the decision was made to attempt a rescue without awaiting specialized equipment or resources to arrive.

WHEREAS, Gavin Helme, Assistant EMS Chief, on response 3, and Noah Foster and Coleman Waters, Volunteer Rescue Squad Members, on ambulance 387 arrived on the scene. With only a water rescue throw rope carried on the deputy's vehicle, emergency personnel attempted to reach the mother and child, with a failed first attempt and the need to back out. A second attempt from a different angle was pursued which proved to be successful, and both mother and child were carried to safety.

NOW BE IT RESOLVED, by the Madison County Board of Supervisors that these first responders' act of selflessness should not be under stated, as they put their lives in danger to save others. Because of their diligence, and commitment to serve and preserve life, everyone went home safely.

Enacted on this 24th day of November, 2020, on motion of Supervisor _____, seconded by Supervisor _____.

R. Clay Jackson, Chairman
Madison County Board of Supervisors

	Aye	Nay	Abstain	Absent
R. Clay Jackson	—	—	—	—
Charlotte Hoffman	—	—	—	—
Kevin McGhee	—	—	—	—
Amber Foster	—	—	—	—
Carty Yowell	—	—	—	—

From: edt22730@aol.com <edt22730@aol.com>
Sent: Friday, November 20, 2020 9:08 AM
To: Jack Hobbs <jhobbs@madisonco.virginia.gov>
Cc: maryg@infovisions.org; mariel.lewis@yahoo.com
Subject: Mulatto Run documents for County Administrator

Jack,

Here are some background documents and urls for the BOS meeting on Nov. 24 regarding the Mulattor Run name change, inserted into the list below so that you have all the information in one place.

Please let me know if you need anything else.

Best regards,

Becky

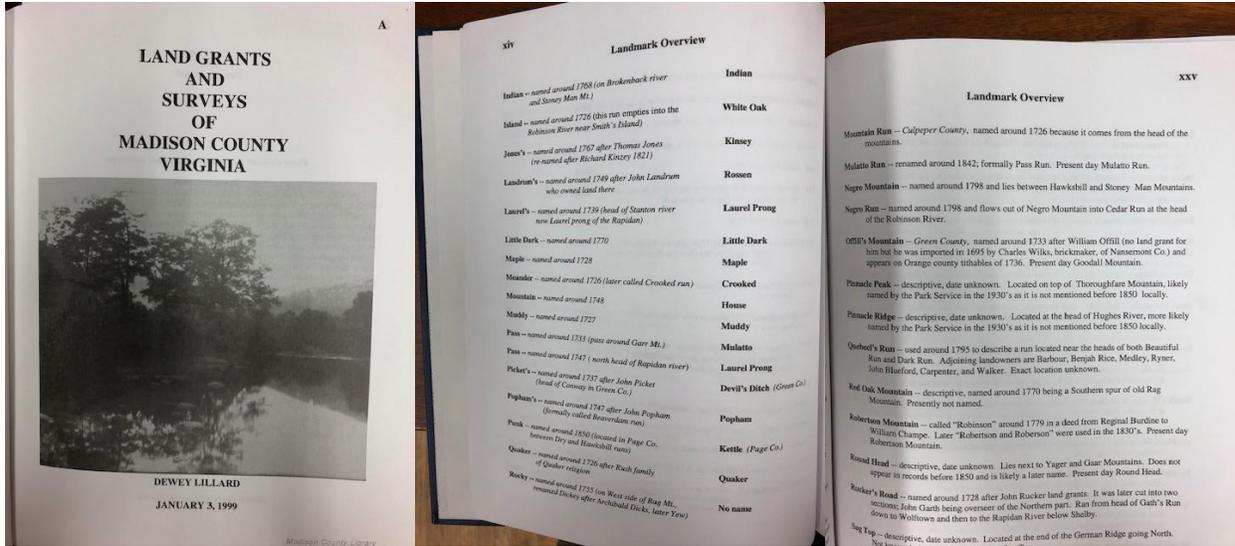
-----Original Message-----
From: edt22730@aol.com
To: kmcghee@madisonco.virginia.gov <kmcghee@madisonco.virginia.gov>;
jhobbs@madisonco.virginia.gov <jhobbs@madisonco.virginia.gov>
Sent: Thu, Nov 19, 2020 8:26 am
Subject: Re: renaming Mulatto Run

Jack,
 I'm glad for the introduction. I was a management officer with the federal government for 29 years, so I know about box-checking, documents in order, etc.

At the very bottom of this chain in the first email to Kevin I laid out what the Mulatto Run committee of the Madison Equality Project has done so far:

- a. Checked with the Historical Society to ask what the original name of the creek was: Pass Run. - *personal phone call between Becky Thompson and Max Lacy.*
- b. Confirmed the original name with Prof. Carol Nash of JMU. - *personal phone call between Mary Grogan and Carol Nash.*
- c. Researched at the Library and found Land Grants book that confirmed the original name since 1733/34 was Pass Run and that it was changed to Mulatto Run about 1842. - *reference book found with assistance of Pam Nelson, assistant librarian; phone pictures taken by Becky Thompson as the book cannot be checked out.*

Land Grants and Surveys of Madison County Virginia, by Dewey Lillard, 1999



A Map of First Patents of Land in Madison County Virginia as of the year 1740, compiled in 1940 by D.R. Carpenter. Available for purchase at the Library. A portion pictured here, with pen pointing to Pass Run. I will bring the map to the Board meeting.



d. Read through documents regarding the 2016 process of changing the name of Negro Run to Tims River.

Three references:

- (1) Minutes of the U.S. Board on Geographic Names, November 2016
- (2) Wikipedia article on Tims River - url: https://en.wikipedia.org/wiki/Tims_River
- (3) Daily Progress article on Feb. 22, 2017 - url: https://dailyprogress.com/news/local/madison-county-creek-given-inoffensive-name/article_bae09c08-f93d-11e6-a2fa-9704c47cd60d.html

e. Printed out the Domestic Geographic Name Report of the U.S. Department of the Interior, which is used to suggest a name change for a geographic feature. - linked in "How Do I?" url below.

f. U.S. Board on Geographic Names will consider a name change "when a name is derogatory or is shown to be offensive to a particular racial or ethnic group..." - in "How Do I?" url

Also, the Oxford Dictionary defines "mulatto" as a dated and offensive term. <https://www.lexico.com/en/definition/mulatto>

g. The Board on Geographic Names "makes decisions only with recommendations from the local government, county government, ..." - in "How Do I?" url

h. Evidence of local support should be attached to the recommendation, including letters or emails from "civil organizations, historical societies, owners of the property on which the geographic feature is located, ..., news articles and letters to the editor." - in "How Do I?" url

The U.S. Board on Geographic Names has lots of information on their website. Section 2 under "How Do I? is "How can I propose to change the name of a natural feature?" and has links to their Policies and Procedures Manual as well as to the form to be used to request the name change.

<https://www.usgs.gov/core-science-systems/ngp/board-on-geographic-names/how-do-i>

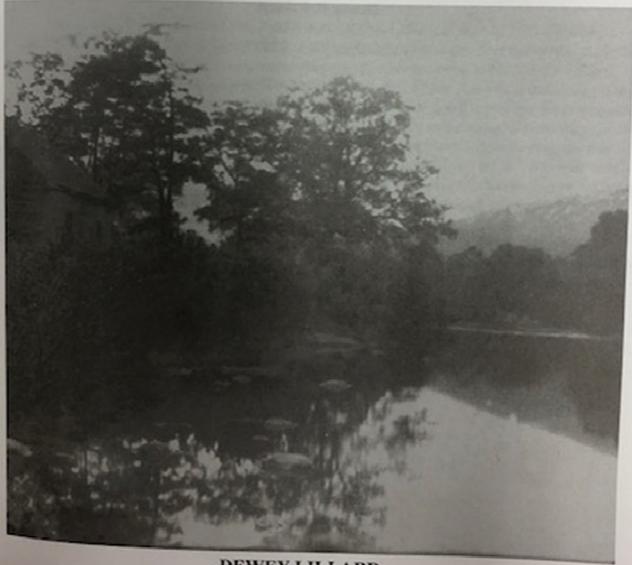
We think the first issue is indeed whether to rename the creek or not. That is, is the Board of Supervisors willing to file the request for name change with the Board on Geographic Names? I believe that is the purpose of our committee appearing before the Board on Tuesday Nov. 24 - (a) to present our concern over the dated and offensive name of the creek, (b) to ask the BOS to decide to request the name change, and (c) to volunteer to become an ad-hoc committee of the Board to write all the letters, etc.

The second issue is what the new name might be. The Board on Geographic Names is pretty strict about using an earlier official name, and that is Pass Run.

I would be glad to meet with you on Monday or Tuesday (for about half an hour) and give you the background documents that we have gathered, or I can email various documents and urls to you. Please let me know what you would prefer.

Thanks for your attention,
Sincerely,
Becky Thompson, resident of Oakpark
540-948-4180

LAND GRANTS AND SURVEYS OF MADISON COUNTY VIRGINIA



DEWEY LILLARD

JANUARY 3, 1999

Madison County Library

Landmark Overview

Indian -- named around 1768 (on Brokenback river and Stony Man Mt.)	Indian
Island -- named around 1726 (this run empties into the Robinson River near Smith's Island)	White Oak
Jones' -- named around 1767 after Thomas Jones (re-named after Richard Kinzey 1821)	Kinsey
Landrum's -- named around 1749 after John Landrum who owned land there	Rossen
Laurel's -- named around 1739 (head of Stanton river now Laurel prong of the Rapidan)	Laurel Prong
Little Dark -- named around 1770	Little Dark
Maple -- named around 1728	Maple
Meander -- named around 1726 (later called Crooked run)	Crooked
Mountain -- named around 1748	House
Muddy -- named around 1727	Muddy
Pass -- named around 1733 (pass around Garr Mt.)	Mulatto ★
Pass -- named around 1747 (north head of Rapidan river)	Laurel Prong
Picket's -- named around 1737 after John Picket (head of Conway in Green Co.)	Devil's Ditch (Green Co.)
Popham's -- named around 1747 after John Popham (formally called Beaverdam run)	Popham
Punk -- named around 1850 (located in Page Co. between Dry and Hawksbill runs)	Kettle (Page Co.)
Quaker -- named around 1726 after Rush family of Quaker religion	Quaker
Rocky -- named around 1755 (on West side of Rag Mt., renamed Dickey after Archibald Dicks, later Yew)	No name

Landmark Overview

Mountain Run -- Culpeper County, named around 1726 because it comes from the head of the mountains.

Mulatto Run -- renamed around 1842; formally Pass Run. Present day Mulatto Run. ★

Negro Mountain -- named around 1798 and lies between Hawksbill and Stony Man Mountains.

Negro Run -- named around 1798 and flows out of Negro Mountain into Cedar Run at the head of the Robinson River.

Offill's Mountain -- Green County, named around 1733 after William Offill (no land grant for him but he was imported in 1695 by Charles Wilks, brickmaker, of Nansemon Co.) and appears on Orange county tithables of 1736. Present day Goodall Mountain.

Pinnacle Peak -- descriptive, date unknown. Located on top of Thoroughfare Mountain, likely named by the Park Service in the 1930's as it is not mentioned before 1850 locally.

Pinnacle Ridge -- descriptive, date unknown. Located at the head of Hughes River, more likely named by the Park Service in the 1930's as it is not mentioned before 1850 locally.

Quebec's Run -- used around 1795 to describe a run located near the heads of both Beautiful Run and Dark Run. Adjoining landowners are Barbour, Benjah Rice, Medley, Ryner, John Blueford, Carpenter, and Walker. Exact location unknown.

Red Oak Mountain -- descriptive, named around 1770 being a Southern spur of old Rag Mountain. Presently not named.

Robertson Mountain -- called "Robinson" around 1779 in a deed from Reginald Burdine to William Champe. Later "Robertson and Roberson" were used in the 1830's. Present day Robertson Mountain.

Round Head -- descriptive, date unknown. Lies next to Yager and Gaar Mountains. Does not appear in records before 1850 and is likely a later name. Present day Round Head.

Rucker's Road -- named around 1728 after John Rucker land grants. It was later cut into two sections; John Garth being overseer of the Northern part. Ran from head of Gath's Run down to Wolfstown and then to the Rapidan River below Shelby.

Sag Top -- descriptive, date unknown. Located at the end of the German Ridge going North. Not known to...



Madison County Historical Society

P O BOX 467

Madison, VA 22727

Madison County Virginia Board of Supervisors

414 N Main Street

Madison, VA 22727

RE: Renaming Request / Mulatto Run

Dear Board of Supervisors,

We are responding to an email dated February 29, 2020 from Veronica Hylton which was addressed to the Board of Supervisors requesting a name change for "Mulatto Run". (email copied to Madison County Historical Society)

After addressing this issue at our Board of Directors meeting on Thursday, March 12, 2020, the Board voted to send our suggestion as to a change of name for review.

As per a publication dated 1978 titled "Madison County Place Names" by Douglas W. Tanner, our suggestion would be for "Mulatto Run" to be renamed "Pass Run". According to the survey "Pass Run" was the geographical/historical name given to this stream.

We, the Board of Directors of the Madison County Historical Society, respectfully submit this request to the Board of Supervisors.

Sincerely,

Max Lacy
Max Lacy, President *by Martha F. Breen*

Madison County Historical Society

MADISON COUNTY
PLACE NAMES

by

Douglas W. Tanner

Issued as

Occasional Publication No. 21

of the

Virginia Place Name Society

Charlottesville

1978

PROPERTY OF
MADISON COUNTY
HISTORICAL SOC.

PREFACE

The Place Name Survey of Virginia is very pleased to present this survey of more than 770 geographic and cultural features which exist or once existed in Madison County, Virginia. Together with over 340 variant names, these features are listed and described geographically and historically in the pages that follow.

The Madison County survey is the second in a series of county place name surveys undertaken since 1971 and published as occasional papers of the Virginia Place Name Society. These county surveys are intended to cover the state and contribute ultimately to make up a statewide compilation of permanent value to all who are interested in Virginia's rich natural and cultural heritage. The Virginia survey is affiliated with the Place Name Survey of the United States, which was initiated in 1969.

This publication brings to fulfillment the efforts of Roger P. Bristol, late director of the Virginia survey, who compiled a preliminary survey of Greene County place names published in 1974, and who before his death later that year accumulated basic data on more than 600 Madison County names. This body of data formed the core of the present work, which ranks to date as the most complete study ever published on place names of a single Virginia county.

The present director acknowledges with gratitude the help of all those in Madison County who gave generously of their time and interest, and those in the Virginia Division of Mineral Resources and the Virginia Department of Highways and Transportation who shared their cartographic expertise and facilities. A special debt of gratitude is owing to the officers and members of the Virginia Place Name Society, whose support has sustained in the compiler a conviction of the value of this undertaking.

Douglas W. Tanner
Director
Place Name Survey of Virginia

"MOUNTAIN VIEW:" PROP, MAD; situated on knoll in meadow, facing E on Quaker Run W of Criglersville, near 382858N, 78-1913W.

Built ca. 1850 by Peter Cunningham Lauck.

REF: DOVE, p. 310; [MA:186A]

"MOUNTAIN VIEW:" PROP, SEE "Hunttly"

MUD LANE: ROAD, MAD; present Rte 673, leading NW out of Madison .3 mi. from ints. with Rte 652 to ints. with Rte 231. Unpaved as recently as 1942.

REF: DOVE, p. 259("Mud Road"); MG: MAD(1936, [-1942]); [MA:186A]

MUD ROAD: ROAD, SEE Mud Lane

MUDDY RUN: STRM, MAD; rises SW of Parites near 382834N, 781328W, flows S ca. 4.5 mi. into Deep Run near 382402N, 781318W. Descriptive.

REF: YOWELL, p. 28; MA:185B

MULATO RUN: STRM, SEE Mulatto Run

MULATTO RUN: STRM, MAD; rises on NE slope of Blakey Ridge, near 382545N, 781958W, flows NE ca. 4.5 mi. into Robinson River, 4.5 mi. N of Madison, near 38-2640N, 782555W. Pron: mŭ-lăt-tŭ

Probably named for usually dingy color of water; formerly used in many places for fording and cattle crossing.

REF: YOWELL; ALLEN, p. 25; PC:YOW-ELL, BERRY; MH:PAG/MAD/ORN[1848]; MG:MAD(1940); MH:SNP(1950); MA:186A
VAR: Mulato Run, Pass Run

MARKS HIGH TOP: MTN, SEE Berry Mtn

NATHANIEL B. EARLY BRIDGE: ROAD, SEE Early Bridge

NEAL MOUNTAIN: MTN, MAD; el. 1107'; summit near 381940N, 782142W.

Named for William Neal, who patented land there in early 1700s.

REF: DOVE, p. 202("Neals Mtn"); PC: LILLARD; ALLEN, p. 15 and fol.; MA:186 adv., -186D

"NEALA:" PROP, MAD; on Rte 663, between Shelby and Wolfstown, near 381950N, 78-2048W. Pron: nē--d-ld

Built ca. 1850, by George Bouton. Mansion faces N with Neal Mtn to W. House stands on land originally granted to William Neal, hence (presumably) name.

REF: DOVE, p. 312; VHLC; [MA:186D]

NEALS MOUNTAIN: MTN, SEE Neal Mtn

"NEEDLES HOLLOW"(pseud.): VALLY, SEE Nicholson Hollow

*NEGRO RUN: STRM, MAD; rises on NW slope of Robertson Mtn, near 383437N, 782135W, flows S ca. 2.5 mi. to join Cedar Run near 383216N, 782049W, form Robinson R. REF: BGN 1964; ALLEN, p. 54, 67, MA: 198 adv. ("Nigger Run"); MA:198D

"NETHER HALL:" PROP, SEE "Henry Farm"

NETHERS: HMLT, MAD; near 383410N, 781642W. P.O. estab. Feb. 6, 1885; discont. Sep. 11, 1944. P.O was in mill owned by

MEETING #38 - November 10

At a regular meeting (#1) of the Madison County Board of Supervisors on November 10, 2020 at 4:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT R. Clay Jackson, Chair
Charlotte Hoffman, Vice-Chair
Kevin McGhee, Member
Amber Foster, Member
Carty Yowell, Member
Jack Hobbs, County Administrator
Sean Gregg, County Attorney
Jacqueline Frye, Deputy Clerk

Call to Order, Determine Quorum, Pledge of Allegiance & Moment of Silence

All members are present; a quorum is established.

Adoption of the Agenda

Suggested Amendments:

Special Appearances

Add: Item A - New Shelter Manager (New Shelter Manager)

Supervisor Hoffman moved that the Agenda be adopted as amended, seconded by Supervisor Foster. **Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).**

Public Comment

Chairman Jackson opened the floor for public comment. The following individual(s) provided comment(s):

- Charlotte Lenhoff (Leathers Lane) was present to provide an update on the proposed roadwork that is underway at Leather's Lane, and is being funded by six (6) property owners; she also referred to the fact that (in her opinion) Mr. Darryl Whidby has intentionally been working against the process and has:
 1. Laid gravel on top of the existing crusher run that has just been laid
 2. Removed gravel from work area #1
 3. Replanted plants along the right-of-way
 4. Dug trenches without permission from the County

And

 5. Was seen willfully riding his tractor while removing gravel from work area #1

Reference was also made to Item 7 of the County's Position on Leathers Lane that states:

"As the owner of the underlying land, Madison County reserves the right to exercise its ownership interests in the road by confining the actual roadway to its present condition and location. Madison County likewise reserves the right to prohibit any repairs or modifications to the roadway. If anyone makes such improvements, without the prior written consent of the Madison County Board of Supervisors."

And Item #9B that states:

"No private citizen shall have the right to change the existing road."

In closing, she encouraged the Board of Supervisors to revoke Mr. Whidby's license to do any work on Leathers Lane from this point forward and requested that a cease and desist order be initiated.

- Robin Hoehn (Leathers Lane) was present and verbalize concerns that damages are being made to the road that has been approved; feels that the Board of Supervisors is allowing a dangerous situation to ensue by not holding Mr. Whidby accountable for damaging the road which hasn't yet been paid for.
- Sherry Kirby (Leathers Lane) was present and verbalized frustration and anxiety over what is happening on Leathers Lane, and feels that Mr. Whidby isn't being held accountable; feels that the County hasn't protected the residents of Leathers Lane; feels that now there is no peace on Leathers Lane due to the ongoing issues.
- John Kirby (Leathers Lane) was present and referred to an email that was sent to the Board of Supervisors concerning the upper and lower sections of Leathers Lane, which have now been altered by Mr. Darryl Whidby; maintenance work is scheduled to commence within the coming week; he noted that the cost of the work will cost about \$4,000; noted that the residents are asking for an assurance (from the Board of Supervisors, County Attorney and County Administrator) that the maintenance work can be done as approved.

The County Attorney was present and referred to a past litigation involving Leathers Lane.

- *Chairman Jackson: Noted that at this time, Mr. Whidby does have a license to perform maintenance on Leathers Lane; however, he further suggested that the County revoke licensure for all residents on Leathers Lane to refrain from performing any type of work on the road from this point forth, excluding the roadwork that has already been approved to be done by the hired contractor.*

It was further noted that the County does own the land that is noted as Leathers Lane, and it was also reiterated that any request(s) to perform any type of work (other than what has already been approved and to include any additional maintenance work) must be prepared as a written request and presented to the Board of Supervisors first.

- *Supervisor Yowell: Referred to the fact that the work being discussed today has already been approved by the Board of Supervisors*

To which Chairman Jackson advised was correct.

- Jessica Whidby (Leathers Lane) was present and claimed that she has witnessed harsh acts initiated against her father (Darryl Whidby); also advised that her father has performed roadwork on Leathers Lane for many years; advised that the rock (laid by a contractor hired by her father, Darryl Whidby) was laid in the incorrect area by accident; suggested that the road remain as it is.

The County Attorney further noted that any further action with regard to today's discussion will not be initiated as there haven't been a detailed discussion with the County personnel (i.e. County Administrator and Board of Supervisors).

After discussion, it was the consensus of the Board to request that a letter be drafted and submitted to the residents of Leathers Lane to advise that:

- a. All licenses for all property owners will be revoked
- b. No work will be performed by any property owner without written consent and approval from the Board of Supervisors
- c. Only the approved roadwork in work area #1 and #2 (do be performed by Mr. Hoffman) will be allowed at this time

The residents further questioned what course of action they should take in the event further incidents arose, to which it was noted that:

- a. Local law enforcement should be contacted to handle any criminal matters that should arise,
 - b. Contact your perspective attorney in the event a civil matter should arise
- *Supervisor Yowell: Advised Mr. Whidby that he will have to refrain from having gravel brought in to place along the roadway.*
 - *Chairman Jackson: Also advised that anything currently located within the right-of-way must be removed.*

With no further comments being brought forth, the comment opportunity was closed.

Special Appearances

A. Madison County Animal Shelter Manager (Cave): Greg Cave, ACO, was present and introduced Ms. Megan Ingram, recently hired as the Animal Shelter Manager. Training has been underway on the Animal Shelter Policy, operations/medical protocol., as well as an introduction to Dr. Reinhold Phaff. In closing, he noted that Ms. Ingram has demonstrated a strong willingness to learn and will be registered for additional courses and FEMA training shortly.

Ms. Ingram expressed appreciation for the opportunity to serve the County.

Consent Agenda

- 2. Consent Agenda
 - A. Minutes from the October 27, 2020 meeting
 - B. Minutes from the November 4, 2020 meeting
 - C. Authorization to pay capital project invoices from bond proceeds totaling \$456,900.48

Supervisor Foster moved that the Consent Agenda be approved as presented, seconded by Supervisor Yowell.
Discussion:

The County Administrator referred to the totals received from Mary Jane Costello, Finance Director, regarding the capital projects and bond proceeds as being \$456,900.48 which includes amounts for the school's capital improvement project and a bill from public safety.

Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).

Constitutional Officers, County Departments, Committees & Organizations

- 2. **Current & Pending Committee Vacancies (Frye):** The Board was advised that an additional member is still need for the IDA Board; an advertisement will be needed for the:
 - Rappahannock Rapidan Community Services Board (Clare Lillard's term expires 12/31/2020)
 - Planning Commission

Fay Utz's term expires 12/31/20 - she has expressed an interested to be considered to serve an additional term; Charles M. Fisher will be resigning effective 1/31/2021).

- Park & Recreation Authority
 - Three (3) terms will expire effective 12/31/2020
 - Kendall Fears (filling an unexpired term)
 - Edwarren "Moonie" Frazier (has served two [2] consecutive terms)
 - Nathan Carter (has served two [2] consecutive terms)

After discussion it was suggested that contact be made with all who are now serving to see if they'd be interested in serving an additional term; an update will be provided at the next meeting to assess what needs to be advertised.

Planning Commission: Mike Mosko, Commission Chair, was present and advised that the Commission would like to propose to the Board of Supervisors that an application filing fee be initiated for large scale solar system facilities, to be in conjunction with the proposed fee for cell tower requests.

The County Attorney was asked to look into the proposed request and provide advise at a future meeting session.

Building/Zoning: Ligon Webb, County Planner, was present to provide an update on the Surber Development request and advised that an advertisement will be forthcoming; proposed that the discussion be held in December 2020 which will also include a draft ordinance; noted that his department has been busy working on various items; a showing was held for the Criglersville Elementary School; a listing has been submitted to Zillow for publication; any potential buyers will be encouraged to fully develop the property and not let the building sit vacant and unused.

- *Supervisor Yowell: Advised that construction is taking place in Etlar; the property owners expressed great pleasure in dealing with the staff from the Building & Zoning Office and their professionalism.*
- *Chairman Jackson: Reported that Ligon Webb, County Planner, won his election for a seat in the Town of Luray.*

Commissioner of the Revenue: Brian Daniel, Commissioner of the Revenue, was present to report that his department is in the process of completing all land use applications; also working on updating personal property criteria.

- *Supervisor Yowell: Referred to discussion on the cigarette tax.*

To which Mr. Daniel advised that he has been reviewing the matter.

EMS: Noah Hillstrom, Director of Emergency Medical Services, was present to provide highlights from his monthly report:

- 136 calls
 - 10-minute average response time
 - All vacant medic positions have now been filled
- *Supervisor Yowell: Made reference to the delivery time frame for the new ambulance and whether this purchase will still meet the anticipated schedule, and whether the purchase will still quality as a CARES Act funding item.*

The County Administrator made reference to the fact that the monies have been committed and can be utilized if necessary.

Mr. Hillstrom advised that anticipated delivery was the end of December 2020, but a delay was caused as a result of COVID 19; also noted that there is a lease to own option that was assessed.

Emergency Management Services: John Sherer, Emergency Management Services Coordinator, was present and advised that there have been:

- 156 cases
- 10 hospitalizations
- 3 fatalities

There is an outbreak in a long-term care facility in the County (staff and residents have tested positive for COVID 19); efforts are being initiated with the Virginia Department of Health to plan long-term vaccinations when they're available. Advised that Culpeper County has experienced a large spike in cases as the Coffeewood Correctional Facility (169 inmates, 13 employees); a mass testing site will be held in Brandy Station, Virginia on November 12th (500 test kits available); advised that the FDA is working to approve a vaccine in the coming weeks; the Governor has spoken about testing over 20,000 people a day with a 6.2% positive rate; southwest Virginia has had a 9.2% positive rate.

Facilities: Roger Berry, Director of Facilities, was present and advised that the jail inmates have returned to assist with grounds and the installation of holiday decorations along Main Street.

E911: Brian Gordon, Director of Emergency Communications, was present to report that the consoles have been installed in the EOC; new chairs are also in use; space is being sanitized between shifts; the radio project is on track; stage meeting will be held the 2nd week in December 2020; balloon test for the PRA site will be scheduled near the end of November 2020; working with GeoCom to upgrade the County's mapping system to a tile based version; trying to get all GIS information uploaded; department is still slightly short-staffed - hoping to hire shortly.

Animal Shelter: Greg Cave, ACO, was present to advised that Ms. Ingram will be undergoing several training initiatives and will also be enrolled in FEMA's animal related courses; numbers are low at the shelter (i.e. ten [10] cats, one [1] dog); participated in a recent PetSmart adoption with one (1) dog that got adopted; still have one (1) vacant position that needs to be filled at the shelter for a Kennel Assistant; VDAX is offering several online courses for Animal Control Officers and kennel staff.

Tourism & Economic Development: Tracey Gardner, Director of Economic Development & Tourism, was present to provide highlights from her monthly report:

- Revaluation and Eco-Dev & Tourism hosted a wonderful event for Secretary Ring to announce AFID grant
- Press Release from Governor Northam attached, CBS coverage, Eagle, Mad Rapp and was also in
- Virginia Business online edition, most likely will be in print as well
- Awaiting performance agreement, but attached some info along with Performance Agreement template. Now that it has been announced, can do 1) official approval 2) need a memo to let Building Inspections know that we waive permit fees for this
- Working with Clint on Broadband ideas and ironing out some details
- Still boosting our WanderLove video <https://youtu.be/tEzPHvHy5Pc> per the grant
- Sharing Rebuild VA info – Governor Northam directing an additional \$30 million to support the expansion of Rebuild VA. The additional funds will allow for expanded eligibility to include businesses with less than \$10million in gross revenue or fewer than 250 employees and increased maximum grant awards from \$10,000 to \$100,000, also available to 501C6 and Dave Reardon, SBDC is available to assist any business interested
- Crafting a New Normal info and webinars

- Reminder November 12 – Central Virginia SBDC free webinar for Madison Businesses
- Tourism Committee was held Tuesday, October 20th at 130pm, the Committee set their 2021 dates as follows: January 19, 2021, April 20, 2021, July 20, 2021 and October 19, 2021. All on Tuesdays, 1:30pm, in the conference room at the Visitor Center
- Attended the Governor’s Summit on Rural Prosperity virtually on October 21
- Reminder: I will be attending the VA-1 Summit on November 16th, with many less participants and just a one-day event this year with Keynote provided by Sheila Johnson
- Also as reported earlier, Madison will be a guest at this year’s Virtual Quad County Business Summit on November 17th and a full participate next year if budgeting is available
- Also attached, Real Estate stats from Greater Piedmont Realtors

Internet/Technology: Bruce Livingston, IT, was present and advised that the servers are now in place; still receiving several trouble tickets for assistance.

Commonwealth Attorney: Chairman Jackson advised that Clarissa Berry, Commonwealth Attorney, is out of the office this week; also reported that Ms. Caroline Watts, former Commonwealth Attorney and Clerk of the Circuit Court, has passed. Ms. Watts dedicated her life to serving the citizens of Madison County, having started her career in 1984. Condolences to the family.

Old Business

3. Report: CARES Act Grant Status (Costello): The County Administrator advised that the Finance Director was unable to complete an updated report at this time, but noted that outstanding items are still in place; suggested that this item be revisited to attain totals at a later meeting session.

- *Chairman Jackson: Advised that the Town of Madison's funding request should be moved to the top of the list.*
- *Supervisor Yowell: Advised that Gerald Carpenter, PRA Manager, has asked if there is any CARES Act funding remaining that can be used to cover the costs associated with running electricity from the barn at Hoover Ridge to the tent at the Farmer's Market - the cost will be between \$5,000-\$6,000 with a \$2,100 bid from the REC to dig a trench and run a cable for the project; also advised that if this proposal is accepted, the site could be used to host drive-through clinics in the future.*
- *Chairman Jackson: Advised that the Board of Supervisors will have to assess any outstanding obligations and move accordingly.*

4. Report: Madison County Rescue Squad MOU Status (Gregg): The County Attorney advised that he received calls and will also follow up with legal council for the Madison County Rescue Squad; it's anticipated that concerns will be discussed and resolved shortly.

- *Chairman Jackson: Referred to previous discussions regarding the initiation of the MOU by December 1, 2020; questioned if the document will be ready for review and initiation by the 2nd meeting in November;*

To which the County Attorney advised may be possible.

5. Discussion: Format, Content & Schedule Board Planning Session (Hobbs): The County Administrator advised that the school's CIP Committee would like to meet on December 4, 2020, which will conflict with the Board of Supervisor's planned session on the same date, and encouraged the Board of Supervisors to reconsider an alternative date.

- *Chairman Jackson: Suggested that the meeting be changed to January 6, 2020 at 4:00 p.m. prior to the Joint meeting with the Planning Commission; reference was also made to a group of questions being presented by the County Administrator and whether the Board would like to have a Facilitator on hand to keep the meeting going forward.*

After discussion, it was the consensus of the Board to move forward without having a Facilitator on hand, and that some of the proposed questions be presented to Constitutional Offices, Sr. County staff and possibly the Planning Commission to attain additional input.

The County Administrator also advised that various outlays may be underway soon; a presentation will be developed for discussion and review for items other than revenues.

- *Supervisor Yowell: Referred to priorities for 20-21 as constructed by VACo.*

New Business:

6. Report: AFID Grant Process (Gardner): Tracey Gardner, Director of Economic Development & Tourism, was present and advised that a preliminary draft of the performance agreement should be available for review and discussion within the coming week; the County can request grant funds after a full review and approval have been attained. The grantor will have thirty (30) days to get the funds to the County and then onto the applicant (i.e. Revalation Vineyards). In closing, she advised that the 'in-kind' amount comes into play when any type of improvements are being done.

The County Administrator advised that the aforementioned process has been discussed during past closed sessions; advised that the procedures are most standard for the state grant process; advised that several meetings will need to be scheduled to review the contracts and other criteria over the next few months; documents are needed from the State before the grant agreement can be fully developed and reviewed before anything can be forwarded to the state, IDA and the applicant.

- *Supervisor Yowell: Referred to the grant opportunity and the fact that some applicants had questions as to whether they were actually eligible to apply as a result of the CARES Act funding;*

To which Ms. Gardner advised that the CARES Act applicants in question are still eligible to apply for the grant funds. The draft agreement should be ready for review by the next meeting in November.

7. Workshop: Criglersville Swinging Bridges (Hobbs): The County Administrator advised that based on several discussions, the County isn't ready to make a concrete decision about the swinging bridges; noted that there is still much information outstanding; advised that mor clarity is needed in regards to VDOT cost estimates (i.e. renovation vs. replacement) and environmental and engineering permits that may be required; feels that VDOT desires to move away from maintaining the bridges.

Patrick Mauney, Rapidan Regional Commission, was present to reflect on VDOT funding options as provided by VDOT (i.e. revenue sharing, secondary funds, transportation funds, etc.) feels that based on VDOT timelines, funding may be available in 2024; however, due to current funding shortfalls, funding may not be available until much later; also noted that some funding mechanisms require a funding match; noted that there are many decisions points that must be addressed before any concrete actions can be undertaken; noted that grant funding opportunities come with 'strings attached.'

- *Chairman Jackson: Advised that Ms. Shephard has reached out and offered to work with the County; he also advised that the process will be relatively slow and also referred to maintenance records; suggested that the County focus on the Lindsay Lane bridge by replacing items; questioned how the County can fund the endeavor and what effect this will have on the taxpayers of Madison County; noted that the County doesn't want to own the bridge; referred to suggestions (for a small park) as verbalized Ms. Bonnie Dixon that will be maintained by her and other interested citizens.*

Comments from the Board:

- *Supervisor Yowell: Referred to three (3) options:*
 - *VDOT to maintain and own the bridge(s)*
 - *County own and maintain the bridge(s)*
 - *County to abandon the bridge(s) and let the property owners assume ownership and maintenance*
 - *Reference was made to the fact that if a property owner has an agreement with the County to establish a 'pocket park', the liability would not be on the property owner in the event someone was injured while on the property; noted that the bridge(s) is on private property; he questioned how far the property owners are willing.*
- *Chairman Jackson: Referred to the issues of right-of-way at the bridge(s) location*
- *Supervisor McGhee: Verbalized concerns that VDOT didn't provide an alternative means of access.*

Bonnie Dixon was present and advised that she consulted with a representative from the Virginia Department of Historic Resources; was told that the Lindsay Lane bridge is listed in the national register as a historic property #056-5040; reference was also made to Section 106 of the National Historical Preservation Act; was also provided with details that regarding liability in the event a park was established in the right-of-way on the property next to the Lindsay Lane bridge.

The County Attorney advised that appropriate documents would need to be constructed and accepted by the County and property owner in advance.

- *Chairman Jackson: Further stated that Ms. Shephard referred to fact that perhaps a 'go fund me page' might be an acceptable format in which to raise funds from county stakeholders and defray the use of six-year road improvement plan funding that's allocated to the County annually.*

It was also noted that the Piedmont Environmental Council has provided some draft language to be included in a draft letter.

Further comments from the Board:

- *Chairman Jackson: Suggested that VDOT provide an engineering report that would state the specifics as to what's wrong with the Lindsay Lane bridge.*
- *Supervisor Yowell: Suggested that all maintenance records also be requested for the Lindsay Lane bridge and all County roadways as a matter of course.*
- *Supervisor McGhee: Referred to VDOT criteria associated with requests for records and requirements for pedestrian foot bridges as being very stringent; feels that the records would be provided if they're available; unfamiliar with the maintenance cycle on bridges unless there's a specific issue noted; verbalized uncertainty as to what VDOT's decision is concerning permanent closure of the Lindsay Lane bridge.*

In closing, it was suggested that the County request:

- All maintenance records for the Lindsay Lane bridge

- All cost estimates associated with repair
- An engineering report

And:

- Access the historical registry (for item #056-5040)
- Develop a modified draft letter and move forward specifically from the Board of Supervisors and copy the Piedmont Environmental Council

Bruce Livingston read the following comment from James Howe (Criglersville) as provided from the online forum: *"I'm sorry I'm not present to comment in person on the current assessment; like Mr. Hobbs, I feel that the situation is being made more complicated than it could be, which may be VDOT's intention; I feel there are other alternatives as mentioned by Mr. Yowell and Ms. Dixon, and they should be explored; perhaps there should be a separate meeting with Madison County residents and the Board of Supervisors to find a resolution to this issue outside of VDOT; according to a colleague who is a former Director that is a former Director of a UVA Research Transportation Council, the reports on the bridge should be public record; it will pursue obtaining this report from him."*

In closing, Chairman Jackson advised that (in his opinion, most would like to pursue a resolution to tonight's issue without VDOT, but reiterated that local bridges are a part of VDOT's network and that the County must make an effort to work with VDOT and come to a viable resolution.

Information/Correspondence

Madison Equality Project: Supervisor McGhee advised that he met with representatives on the Madison Equality Project to request that the Mulatto Run Bridge be renamed to the original researched name; the group is working to pursue the required process (with the Board of Geographic Names); the group has offered to attend a future meeting and provide a presentation to the Board of Supervisors for review and input.

After discussion, by consensus, the Board agreed to invite the Madison Equality Project to attend the meeting on November 24, 2020 to provide their presentation and assess the process that will be needed to pursue their proposal.

- *Supervisor Yowell: Referred to an email from VACo concerning a hosting for an online FOIA workshop webinar on November 16th; he questioned if the County Attorney will plan to provide FOIA training again this year.*

After discussion, it was indicated that the County Attorney would provide FOIA training at the end of the Joint Meeting session on December 2, 2020 for the Madison County Board of Supervisors and the Madison County Planning Commission.

Public Comment

Chairman Jackson opened the floor for public comment. With no comment(s) being brought forth, the public comment opportunity was closed.

Closed Session

Adjourn

With there being no more business to consider, on motion of Supervisor Hoffman, seconded by Supervisor Foster, Chairman Jackson adjourned the meeting. **Aye: Jackson, Hoffman, McGhee, Foster, Yowell. Nay: (0).**

R. Clay Jackson, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors
Copies: Board of Supervisors, County Attorney & Constitutional Officers
Adopted on:



Agenda
Board of Supervisors Meeting
Tuesday, November 10, 2020 at 4:00 p.m.
County Administration Building Auditorium
414 N Main Street, Madison, Virginia 22727

Call to Order, Determine Quorum, Pledge of Allegiance & Moment of Silence

Adoption of Agenda

Public Comment

Special Appearances

a. Madison Animal Shelter Manager (Cave)

Consent Agenda

- 1. Consent Agenda
 - A. Minutes from the October 27, 2020 meeting
 - B. Minutes from the November 4, 2020 meeting
 - C. Authorization to pay capital project invoices from bond proceeds

Constitutional Officers, County Departments, Committees & Organizations

- 2. Current and Pending Committee Vacancies (Frye)

Old Business

- 3. Report: CARES Act Grant Status (Costello)
- 4. Report: Madison County Rescue Squad MOU Status (Gregg)
- 5. Discussion: Format, Content & Schedule Board Planning Session (Hobbs)

New Business

- 6. Report: AFID Grant Process (Gardner)
- 7. Workshop: Criglersville Swinging Bridges (Hobbs)

Information/Correspondence

Public Comment

Closed Session

Adjourn

AMENDMENT(S) DENOTED IN ROYAL BLUE.

Summary as of November 19, 2020

As of today, the following is in place:

IDA Board

- One (1) vacancy on the IDA Board
- All new members have taken their oath of office.
- One (1) member is in the process of working on their SOEI form

Planning Commission

- Fay Utz has expressed a willingness to serve another term once her term expires December 31, 2020
- One (1) application has been received from Michael Snider (included in today's packet) to be considered for the upcoming slot that Charles M. Fisher currently serves in

PRA

Mr. Carpenter has advised that all three (3) PRA Board members:

- Edwarren "Moonie" Frazier
- Kendall Fears
- Nathan Carter

Are eligible and desire to serve an additional four-year term once their terms expire December 31, 2020

Piedmont Workforce Network

Annette Hyde has expressed a willingness to serve an additional term

Skyline Community Action Partnership

Peter Work has expressed a willingness to serve an additional term

Rappahannock Juvenile Detention Board

Nan Coppedge has expressed a willingness to serve and additional term

Blue Ridge Committee - Shenandoah National Park

James Ballard and Bruce Bowman have both expressed a willingness to serve an additional term.

Tourism Committee

Tracey Gardner, Director of Economic Development & Tourism, has advised that all existing members are willing to serve an additional term.

CPMT & FAPT

Tiffany Woodward, CSA, advised that there is one (1) vacancy on the CPMT that will need to be filled by a provider, and one (1) vacancy on the FAPT, that she anticipates filling relatively soon. All other members are eligible and willing to serve and additional term.

In closing, it looks like we'll only need to advertise for the:

- IDA Board (1 vacancy)
- RRCSB (1 vacancy)
- Planning Commission (1 upcoming vacancy for an unexpired term)

Which I will send out tomorrow in order to not miss next week's holiday advertising deadline. Ad will run for two (2) consecutive weeks.

Mahalo.

Jacqueline

Effective as of 11'19'2020						
Meeting Times/Term	Appointments Eff. In 2020	Appointed on	Term Expires	Appointments needed before 2/1/2021	Term Expires	
County Committees						
Board of Zoning Appeals (appointed by circuit court) <i>As required/5 years</i>	Rodney Lillard	1/4/2019	12/31/2022	Traditional or required BOS slot		
	E. J. Aylor, Jr.	2002 (Est.)	11/9/2021	Traditional staff appointee		
	James M. Lehr	2002 (Est.)	4/17/2021			
	Roger L. Clatterbuck	2002 (Est.)	4/17/2021			
	Douglas Coppedge	2002 (Est.)	12/31/2024			
Building Code Board of Appeals <i>As required/4 years</i>	John Stamp, Alternate	3/10/2015	3/10/2021			
	Edward Lee Jenkins	9/14/2010	3/10/2021			
	Scott Lohr	4/26/2013	3/10/2021			
	T. Ray Lindsey	9/14/2010	3/10/2021			
	J. Daniel Crigler	9/14/2010	3/10/2023			
	Matthew Brian Utz	3/10/2015	3/10/2023			
Community Policy & Management Team <i>2nd Tuesday @ 9:00 a.m. / 1 year</i>	Charlotte Hoffman, Board Rep.	1/2/2020	12/31/2024		12/31/2021	
	Brenda G. Allen	1/2/2020	12/31/2020	Brenda G Allen	12/31/2021	Willing to serve another term
	Wade Kaetchner	1/2/2020	12/31/2020	Wade Kaetchner	12/31/2021	Willing to serve another term
	Valerie Ward	1/2/2020	12/31/2020	Valerie Ward	12/31/2021	Willing to serve another term
	Jeanette Alexander	1/2/2020	12/31/2020	Jeanette Alexander	12/31/2021	Willing to serve another term
	Vacancy	1/2/2020	12/31/2020	Vacancy	12/31/2021	As per T. Woodward, this will be filled by a s
	Taisha Chavez	1/2/2020	12/31/2020	Taisha Chavez	12/31/2021	Willing to serve another term
	Mary Jane Costello	1/2/2020	12/31/2020	Mary Jane Costello	12/31/2021	Willing to serve another term
	Tiffany Woodward	1/2/2020	12/31/2020	Tiffany Woodward	12/31/2021	Willing to serve another term
Electoral Board (appointed by circuit court)	Mark Farmer	3/1/2019	2/28/2022			
	Susanna Spencer	3/1/2017	2/28/2023			
	Bonita Burr	3/1/2018	2/28/2021			
Family Assessment & Planning Team 1st Wednesday of each month (Appointed by CPMT)	Morgan Corbin	1/2/2020	12/31/2020	Morgan Corbin	12/31/2021	Willing to serve another term
	Shelly Morris	1/2/2020	12/31/2020	Shelly Morris	12/31/2021	Willing to serve another term
	Drew Eanes	1/2/2020	12/31/2020	Drew Eanes	12/31/2021	Willing to serve another term
	Vacancy	1/2/2020	12/31/2020		12/31/2021	As per T. Woodward, this will be filled shortl
	Shannon Smith	1/2/2020	12/31/2020	Shannon Smith	12/31/2021	Willing to serve another term
	Tiffany Woodward	1/2/2020	12/31/2020	Tiffany Woodward	12/31/2021	Willing to serve another term
	Missy Dillon	1/2/2020	12/31/2020	Missy Dillon	12/31/2021	Willing to serve another term
Industrial Development Authority <i>As required/4 years</i>	Paul D. Utz	7/1/2000	4/11/2022			
	Steve Grayson	8/14/2012	4/11/2024			
	Douglas Parsons	10/13/2020	4/11/2024			
	William Hale	10/13/2020	4/11/2023			
	Steven S. Hoffman	10/13/2020	4/11/2023			
	James C. Graves	7/16/2007	4/11/2021			
Park & Recreation Authority <i>3rd Mon. @ 7:00 p.m. (Nov. to Feb.) & 7:30 p.m. (Mar. to Oct)/4 years</i>	<i>Kendall Fears</i>	<i>9/26/2018</i>	<i>12/31/2020</i>	Kendall Fears	12/31/2024	Willing to serve another term
	<i>Edwarren (Moonie) Frazier</i>	<i>12/13/2016</i>	<i>12/31/2020</i>	Edwarren (Moonie) Frazier	12/31/2024	Willing to serve another term
	<i>Nathan Carter</i>	<i>12/13/2016</i>	<i>12/31/2020</i>	Nathan Carter	12/31/2024	Willing to serve another term
	Danny Crigler	1/24/2019	12/31/2022			
	David Sisson	1/24/2019	12/31/2022			
	Connie Deatherage	1/24/2019	12/31/2022			
	R. Clay Jackson, Board Rep.	1/2/2020	12/31/2020	R. Clay Jackson, Board Rep.	12/31/2021	
	Carty Yowell, Board Rep.	1/2/2020	12/31/2020	Carty Yowell, Board Rep.	12/31/2021	
Planning Commission <i>1st & 3rd Wed. @ 7:00 p.m./4 years</i>	Nancy B. Coppedge	3/22/2012	1/31/2022			
	Fay T. Utz	12/21/2012	12/31/2020	Fay T. Utz	1/31/2024	Willing to serve another term
	Mike Mosko	1/27/2016	1/31/2024			
	<i>Charles M. Fisher (resig. Eff. 1/31/21)</i>	<i>1/27/2016</i>	<i>1/31/2024</i>		1/31/2024	Will be advertised
	Peter Work	1/27/2016	1/31/2023			
	Pete Elliott	12/14/2016	1/31/2021			Checking on this one
	Stephen Carpenter	1/11/2019	1/31/2023			
	Francoise Seillier-Moisewitsch	1/11/2019	1/31/2023			
	J. Daniel Crigler	12/10/2019	1/31/2024			
Social Services Board <i>4th Tues @ 8:30 a.m./4 years</i>	Tina Weaver	6/22/2014	12/31/2022			
	Scott Allen Bennet	5/14/2020	6/30/2024			
	Jerry J. Butler	4/17/2020	6/30/2024			
	Charles "Nick" McDowell	5/28/2019	6/30/2023			
	Charlotte Hoffman, Board Rep.	1/2/2020	12/31/2020	Charlotte Hoffman, Board Rep.	12/31/2021	
Topping Fund Committee <i>As needed (1x annually required)/1 year</i>	<i>R. Clay Jackson, Board Rep.</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	R. Clay Jackson, Board Rep.	12/31/2021	
	<i>Amber Foster, Board Rep.</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Amber Foster, Board Rep.	12/31/2021	
	<i>Jack Hobbs</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Jack Hobbs	12/31/2021	
	<i>Annette Dodson</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Megan Ingram	12/31/2021	
	<i>Greg Cave</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Greg Cave	12/31/2021	
Tourism Committee <i>Quarterly/1 year</i>	<i>Lydia Hansen</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Lydia Hansen	12/31/2021	Willing to serve another term
	<i>Lynn Graves</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Lynn Graves	12/31/2021	Willing to serve another term
	<i>Alan Webb</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Alan Webb	12/31/2021	Willing to serve another term
	<i>Janine Jensen-Oakerson</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Janine Jensen Oakerson	12/31/2021	Willing to serve another term
	<i>Brent Lohr</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Brent Lohr	12/31/2021	Willing to serve another term
	<i>Tracey Gardner, Ex Officio</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Tracey Gardner, E. Officio	12/31/2021	
External Committees						
Blue Ridge Committee for Shenandoah Park Relations <i>2x per year [2018 meetings 5/10 & 10/4 at 10:30 @ Big Meadows Lodge]/1 year</i>	<i>Carty Yowell, Board Rep.</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Carty Yowell, Board Rep.	12/31/2021	
	<i>Kevin McGhee, Board Rep.</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Kevin McGhee, Board Rep.	12/31/2021	
	<i>Bruce Bowman, Member</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Bruce Bowman, Member	12/31/2021	Willing to serve another term
	<i>James Ballard, Alternate</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	James Ballard, Alternate	12/31/2021	Willing to serve another term
Central Virginia Economic Development Partnership <i>22218 & 62218 @ 9:00 a.m. (LVA Research Pk./3 years</i>	<i>Jack Hobbs</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Jack Hobbs	12/31/2021	
Central Virginia Regional Jail <i>2nd Thursday at 4:00 p.m./1 yr</i>	<i>Erik Weaver</i>	<i>1/2/2020</i>	<i>Fixed Appointemnt</i>	Erik Weaver	12/31/2021	
	<i>Kevin McGhee</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Kevin McGhee, Board Rep.	12/31/2021	
Germanna Community College Board <i>3rd Thursday @ 4:00 p.m. Jan, Mar, May, July, Sept/4 years</i>	Sarah Berry	4/26/2016	6/30/2024			
	Ann Tidball	4/4/2012	6/30/2022			
Madison Extension Council <i>Quarterly @ 6:30 p.m. /1 year</i>	<i>R. Clay Jackson, Board Rep.</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	R. Clay Jackson	12/31/2021	
Piedmont Workforce Development Board <i>1 year</i>	<i>Amber Foster, Board Rep.</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Amber Foster, Board Rep.	12/31/2021	Willing to serve another term
	Annette Hyde	2/25/2020	12/31/2020	Annette Hyde	12/31/2021	
Rapidan Service Authority <i>3rd Thurs @ 2:00 p.m. Rotating Counties/4 years</i>	Troy Coppage	12/12/2004	12/31/2024			
	Steven Hoffman	5/25/2001	6/24/2021			
Rappahannock Juvenile Detention Center Board <i>2018 - RIDC Board: 4th Monday - 3/26, 5/21, 7/23, 9/24, 11/26 (Stafford) @ 12:00 p.m. 2018 - Finance Committee: 4th Monday - 3/12, 5/7, 7/9, 9/10, 11/12 (Stafford) @ 10:00 a.m.</i>	<i>Nancy Coppedge</i>	<i>3/22/2012</i>	<i>12/31/2020</i>	Nancy Coppedge	12/31/2021	Willing to serve another term
	<i>Charlotte Hoffman, Alternate</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Charlotte Hoffman, Alternate	12/31/2021	
	<i>Mary Jane Costello (Finance Com.)</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Mary Jane Costello (Finance Com.)	12/31/2021	
Rappahannock River Basin <i>Quarterly (March, May, August, October) 3rd Thurs./1 year</i>	<i>Carty Yowell</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Carty Yowell, Board Rep.	12/31/2021	
Rappahannock Rapidan Community Services Board <i>2nd Tues at 1:00 p.m. - Reg. Committee Mtg. on 4th Tues at 1:00 p.m. / 3 years</i>	<i>Valerie Ward</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Valerie Ward	12/31/2021	Will be advertised
	<i>Clare Lillard</i>	<i>12/10/2011</i>	<i>12/31/2020</i>	Vacant	12/31/2021	
	<i>Amber Foster, Board Rep.</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Amber Foster, Board Rep.	12/31/2021	
Rappahannock-Rapidan Regional Commission <i>4th Wed Feb-Apr-Jun-Aug-Oct-Dec/1 year</i>	<i>Charlotte Hoffman, Board Rep.</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Charlotte Hoffman, Board Rep.	12/31/2021	
	<i>Jack Hobbs</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Jack Hobbs	12/31/2021	
Rappahannock-Rapidan Food Policy Council <i>January then every other month at 5:30pm, usually on the third or fourth Tuesday</i>	<i>Brad Jarvis</i>	<i>1/2/2020</i>	<i>12/31/2020</i>	Brad Jarvis	12/31/2021	

Effective as of 11/19/2020

Meeting Times/Term	Appointments Eff. In 2020	Appointed on	Term Expires	Appointments needed before 2/1/2021	Term Expires
Regional Preparedness Advisory Committee for Interoperability <small>Bi-monthly or as needed / 1 year</small>	<i>Brian Gordon</i>	1/2/2020	12/31/2021	Brian Gordon	12/31/2021
Skyline Community Action Partnership (CAP) <small>4th Monday at 6:00 PM/1 year</small>	<i>Kevin McGhee, Board Rep. Peter Work</i>	1/2/2020 7/13/2016	12/31/2021 12/31/2021	Kevin McGhee, Board Rep. Peter Work	12/31/2021 12/31/2021
Thomas Jefferson Area Criminal Justice (OAR) <small>1st Wed. (Quarterly) @ 6:00 p.m. - Water Street Ctr. 407 E. Water St., Coville 2nd Wed. (Jan., March & May) @ 7:00 p.m. / 1 year</small>	<i>Kevin McGhee, Board Rep. Clarissa Berry</i>	1/2/2020 1/2/2020	12/31/2021 12/31/2021	Kevin McGhee, Board Rep. Clarissa Berry	12/31/2021 12/31/2021
Thomas Jefferson EMS Council <small>1 year</small>	<i>Kevin McGhee, Board Rep. Carty Yowell</i>	1/2/2020 1/2/2020	12/31/2021 12/31/2021	Kevin McGhee, Board Rep. Carty Yowell, Board Rep.	12/31/2021 12/31/2021
School Capital Improvement Plan Committee <small>As needed/1 yr</small>	<i>R. Clay Jackson, Board Rep. Amber Foster, Board Rep. Jack Hobbs, County Administrator</i>	1/2/2020 1/2/2020 1/2/2020	12/31/2021 12/31/2021 12/31/2021	R. Clay Jackson, Board Rep. Carty Yowell, Board Rep. Jack Hobbs	12/31/2021 12/31/2021 12/31/2021
Shenandoah Committee <small>4x annually - rotating counties / 1 year</small>	<i>Tracey Gardner Jack Hobbs</i>	1/2/2020 1/2/2020	12/31/2021 12/31/2021	Tracey Gardner Jack Hobbs	12/31/2021 12/31/2021

Willing to serve another term



Board Liaison Assignments and Other Appointments

Deputy Director of Emergency Management	<i>Jack Hobbs</i>	1/2/2020	12/31/2021	Jack Hobbs	12/31/2021
Emergency Services Coordinator	<i>John Sherer</i>	1/2/2020	12/31/2021	John Sherer	12/31/2021
Deputy Emergency Services Coordinator	<i>Brian Gordon</i>	1/2/2020	12/31/2021	Brian Gordon	12/31/2021
Historical Society Liaison	<i>Charlotte Hoffman, Board Rep.</i>	1/2/2020	12/31/2021	Charlotte Hoffman, Board Rep.	12/31/2021
Madison County Fire Department Liaison <small>1 year</small>	<i>Amber Foster, Board Rep.</i>	1/2/2020	12/31/2021	Amber Foster, Board Rep.	12/31/2021
Madison Town Council Liaison <small>1st Thurs. @ 7:00 p.m. - Planning Commission 4th Thurs. @ 7:00 p.m. / 1 year</small>	<i>R. Clay Jackson, Board Rep. Carty Yowell, Board Rep.</i>	1/2/2020 1/2/2020	12/31/2021 12/31/2021	R. Clay Jackson, Board Rep. Carty Yowell, Board Rep.	12/31/2021 12/31/2021
Madison County School Board Liaison <small>2nd Monday @ 7:00 p.m. (SBO)/1 year</small>	<i>Carty Yowell, Board Rep. R. Clay Jackson, Board Rep.</i>	1/2/2020 1/2/2020	12/31/2021 12/31/2021	Carty Yowell, Board Rep. R. Clay Jackson, Board Rep.	12/31/2021 12/31/2021
Madison County Rescue Squad Liaison <small>1 year</small>	<i>Charlotte Hoffman, Board Rep.</i>	1/2/2020	12/31/2021	Charlotte Hoffman, Board Rep.	12/31/2021
Madison County Library Board Liaison <small>2018 Schedule: January, March, May, July, September, November (3rd Wed.) @ 7:00 p.m.</small>	<i>Charlotte Hoffman, Board Rep.</i>	1/2/2020	12/31/2021	Charlotte Hoffman, Board Rep.	12/31/2021
Planning Commission Liaison <small>1st & 3rd Wed. @ 7:00 p.m./4 years</small>	<i>R. Clay Jackson, Board Rep.</i>	1/2/2020	12/31/2021	R. Clay Jackson, Board Rep.	12/31/2021
Tourism Committee Liaison <small>Quarterly/1 year</small>	<i>Amber Foster, Board Rep.</i>	1/2/2020	12/31/2021	Amber Foster, Board Rep.	12/31/2021

INVOICE

INV8779

DATE

DUE DATE

BALANCE DUE

USD \$2300.00

bcconstruction11@yahoo.com



Bc Construction

Business Number Class A License#2701035078

510 Medley Mountain Dr.

Aroda, VA 22709

540-222-7407

☎ 540-948-3921

☎ 540-222-7407

2020

2020

DESCRIPTION	RATE	QTY	AMOUNT
Installing a 200amp Outside Panel box, meter base, 3 – 20amp GFCI outlets and 1 – 230amp outlet			
		TOTAL	\$2300.00
		BALANCE DUE	USD \$2300.00

Payment Instructions

PAYPAL bcconstruction11@yahoo.com

BY CHECK

BC Construction

OTHER

Mail check to 510 Medley Mountain Dr. Aroda VA, 22709



Jerry Carpenter <mcparksrec@gmail.com>

5

29

power to Farmers Mkt Tent
6 messages

Stephen D. Coates <scoates@myrec.coop>
To: Jerry Carpenter <mcparksrec@gmail.com>
Cc: "Stephen D. Coates" <scoates@myrec.coop>

Thu, Jul 18, 2019 at 3:28 PM

Hello Jerry, to install underground service from the transformer at the red barn will cost \$2,093.00. If you open the ditch, you can reduce that cost by \$600.00. The other two options, splicing in a pad mount transformer, and add a transformer to the pole, are both more expensive than coming from the red barn. Cost estimates are good for 90 days. Thanks,

Steve Coates

scoates@myrec.coop

Distribution Designer

Rappahannock Electric Cooperative

540-727-2116

www.myrec.coop



-Rappahannock Electric Cooperative Legal Disclaimer-

This message may contain confidential and/or proprietary information, and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.

Jerry Carpenter <mcparksrec@gmail.com>
To: Lindsay Von Herbulis <lindsay.mcparksrec@gmail.com>

Thu, Jul 18, 2019 at 3:29 PM

Madison County Goals and Priorities

Goals/Priorities Approved January 2, 2020; Updated per Discussion at the January 16, 2020 BoS Meeting- **Status as of November 20, 2020**

Goal/Priority	Staff Lead	Completion Date Goal
Economic Development		

Promote sensible, orderly business and industry growth and expanded employment opportunities

- Make necessary changes in the County's ordinances to enable the County's economic development, planning and zoning officials to effectively attract businesses

COMPLETED

Administration		
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Improve the efficiency and effectiveness of general government functions

- Complete the recodification project
- Review and redevelop the emergency medical system program and relationships with the Madison County Rescue Squad
- Update the purchasing policy and institute improved processes in the areas of procurement practices and record keeping

Finished; Municode web site update pending

Execution anticipated on November 24

J. Hobbs October 31, 2020

Personnel		
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Evaluate and prioritize the following staffing issues and begin implementing approved realignment and/or capacity additions:

- Transitioning the Emergency Services Coordinator to a full-time position
- Complete the personnel study and implement a new position classification and compensation plan and other accepted recommendations
- Improving administrative and clerical support to assist with peak work flow and cover long-term absences
- Improving management services to assist the various department in grant writing, policy research, procurement, in-house document and plan preparation, project management, etc.
- Increasing human resources support assistance for supervisors in dealing with personnel issues such as recruitment and discipline

J. Hobbs TBD

Completed; updated/approved pay and classification plan being developed.

J. Hobbs December 31, 2020

J. Hobbs December 31, 2020

HR duties reassigned; study on potential improved employee assistance program anticipated

Capital Projects		
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Establish an ongoing capital improvement planning program to involve all county-funded departments and agencies (including PRA, Social Services and school system). Projects that would be pursued during the planning period include:

- Procuring and financing the public safety radio system replacement
- Deciding what is necessary and appropriate then financing the renovation of Madison County Primary School
- Renovating the Administration Building and former Health Department building, relocating staff from the Thrift Road site to that campus and preparing the Thrift Road site for disposal
- Resolving the Moore Building acquisition issue
- Studying the Courthouse security, building moisture/mold issues, and window replacement problems

Design/build underway

COMPLETED

Bids due November 20

COMPLETED

COMPLETED

Information Technology		
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Implement accepted information technology recommendations

- Create a records management system for leases, charters, contracts, etc. that is integrated with a calendar that tracks major anticipated contract renewals, deadlines, or required actions
- Developing an in-house information technology capability for better coordination and management of IT hardware, software and contractors.
- Replace accounting software

M.J. Costello June 30, 2021

COMPLETED

M.J. Costello June 30, 2021

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE MADISON COUNTY BOARD OF
SUPERVISORS AND MADISON COUNTY
VOLUNTEER RESCUE SQUAD**

This AGREEMENT dated this ___ day of _____, 2020 between the COUNTY OF MADISON, VIRGINIA (the County), a political subdivision of the Commonwealth of Virginia and the MADISON COUNTY RESCUE SQUAD, INC. (MCRS), a Virginia corporation (SCC registration number 00980540), in accordance with the provisions of Code of Virginia §27-15.2.

Collectively, the COUNTY and MCRS are referred to as the “Parties”.

Purpose

This Agreement supplements the November 12, 2013 Memorandum of Understanding between the Parties. It shall replace all other agreements and statements of understanding between the Parties and to state the understanding and specific terms that will result in the County’s residents, business operators, and visitors receiving the highest quality emergency medical services;

- A. This Agreement between the Parties establishes how the County will assume and effectuate operational control of MCRS and permissibly use and occupy MCRS property.
- B. This Agreement is not an obligation or commitment of funds or a basis for a transfer of funds, but rather is a basic statement of the understandings, provisional services to be provided, and permissions granted between the Parties so that emergency medical services may continue to be provided in Madison County, Virginia and the surrounding areas.
- C. This Agreement assumes the continued existence and fully committed participation of MCRS, its Board of Directors, and its membership in conjunction with the County and its Department of Emergency Medical Services.

Recitals

WHEREAS, MCRS has been a long-standing and licensed participant in the provision of the County’s emergency services response system; and, of the County’s emergency services response system; and,

WHEREAS, on February 25, 2020 the County officially established Madison County Department of Emergency Medical Services (MEMS) as a department of government; and

WHEREAS, the Parties agree that it is beneficial to the cooperative delivery of emergency medical services as described herein that MCRS continue to provide the County with qualified and appropriately certified volunteer personnel to participate in the delivery of emergency medical services as provided herein; and,

WHEREAS it is mutually agreed that it is desirable, practical, and beneficial for the parties to enter into this Agreement to render support and services to one another in accordance with the purpose of relationship; and,

WHEREAS the County wishes to provide such support in a way that honors the MCRS organization and its independent corporate status and respects the responsibilities of its Board of Directors and membership, according to its bylaws; and

WHEREAS, upon finding as fact that the exercise of the powers enumerated in §32.1-111.14 of the Code of Virginia, it is necessary to assure the provision of adequate and continuing emergency medical services and to preserve, protect and promote the public health, safety and general welfare of citizens of, visitors to, and persons in transit through Madison County; and

WHEREAS §32.1-111.4.6 of the Code of Virginia establishes the head of such emergency medical services agency shall be known as “the emergency medical services agency chief” or “EMS Chief”; and,

NOW, THEREFORE, it is hereby agreed by and among the Parties as follows:

- I. **Term.** This Agreement shall be effective upon the signature hereto by all persons as indicated at the end of this document and shall remain in effect for a period of five (5) years, subject to the other provisions of this Agreement and any modifications here of in accordance with those provisions.
- II. **Primary Designated EMS Response Agency.** MEMS is recognized as the primary designated EMS Response Agency for Madison County, VA. As such, MEMS shall be responsible for controlling and supervising the provision of pre-hospital emergency medical and rescue services in Madison County so as to protect and promote the health, welfare, and safety of the public. The County Chief of EMS and the County Operational Medical Director(s) are responsible for the supervision and control of all department, career and volunteer, personnel engaged in providing emergency medical and rescue services.
- III. **Department Membership.** The County Department of EMS shall consist of career and volunteer personnel. MCRS is formally designated as a part of the County Department of EMS as non-designated emergency response agency and is recognized by the County as an integral part of the emergency response system. Dispatch and response shall be conducted under the umbrella of the County Department’s designated emergency response agency license. MCRS shall continue to maintain its own corporate charter, governing board, officers, and directors as chosen in accordance with its bylaws and other corporate regulations. Subject to the provisions of this Agreement, all EMS volunteers, auxiliary personnel, and junior cadets shall be subject to the rules and regulations of MCRS.

- iv. If at any time in the field or during the provision of emergency medical services, the EMS Chief or designee determine that any property being used in the provision of those services, including equipment or vehicles need emergency repair, the EMS Chief or designee acting within the scope of his/her employment may require such emergency repair to be made.
- i. Use of Ambulances. It is recognized on February 10, 2009 and first amended on May 14, 2012 the County and MCRS entered into an ambulance use agreement. The terms of said agreement are updated and restated as follows:
 - i. The County shall have the right to utilize any of the MCRS transport ambulances owned by MCRS during such periods as County employees are engaged in the provision of ambulance/emergency medical services (“County Coverage”). For the purpose of this Agreement, the County shall be deemed to be engaged in the provision of such services when two (2) or more of its employees are assigned to an ambulance on which they are responsible for responding to emergency calls.
 - ii. MCRS transport ambulances staffed by MEMS personnel shall be equipped with a power stretcher and power loading system.
 - iii. MCRS shall provide insurance coverage on all ambulance vehicles and equipment and, upon request, shall provide evidence of such insurance to the County.
 - iv. MCRS shall keep vehicle maintenance and registration records on file and upon request MCRS shall make those records available for review by federal, state, County Chief of EMS, or County Administrator in order to satisfy the requirement of any federal, state or local law, regulation or ordinance or any audit required by federal or state law or regulations.
 - v. Fee Schedule. The County shall pay MCRS an annual fee of \$100,000 plus the cost of all diesel and gas used by MEMS and MCRS during the term of this agreement. Beyond the initial fiscal year in which this requirement becomes effective, the obligation shall be subject to the availability and appropriation of funds by the County in succeeding fiscal years.

IV. Responsibilities of the County.

- A. Operational leadership. The County will provide a liaison from the Board of Supervisors who shall be assigned to MCRS during the term of this Agreement.
 - i. Relations with MCRS.
 - i. The Madison BOS liaison along with the County Chief of EMS or designee will attend the monthly MCRS business meeting. In the event a meeting cannot be held in person, a remote option shall be offered.
 - ii. Operational control of all emergency medical services in Madison County shall be vested in MEMS.
 - iii. All Virginia Office of Emergency Medical Services certified MCRS volunteer providers shall dually affiliate with MEMS. In all other respects they shall remain under the administrative control of MCRS leadership.
 - iv. MCRS operational volunteers are subject to the County’s personnel policy.

- v. All MEMS/MCRS operational personnel shall be subject to and comply with all MEMS infection control and respiratory protection policies. The MEMS Designated Infection Control Officer shall be the primary contact for MEMS/MCRS operational personnel.
 - vi. MCRS volunteer ambulance drivers shall successfully pass a criminal history background check, hold Emergency Vehicle Operations Certification, CPR and successfully complete the MEMS emergency vehicle operation release process. Final driver release shall be approved by the County EMS Chief or designee. See Appendix A.
 - vii. MCRS volunteers who are certified as an EMT or higher, who are dually affiliated with MEMS, who have been operationally approved by the County Chief of EMS and clinically approved by the County Operational Medical Director(s), may respond to 911 calls in Madison County. Please see Appendix A.
- ii. EMS supplies. MEMS shall determine the requirements for EMS supplies, stocking, and restocking. MEMS will be responsible for purchasing and paying for these supplies expeditiously.
 - iii. Communications: The County assumes the responsibility for all paging and radio equipment to include inventory, maintenance, and upkeep.
 - iv. Emergency vehicles: The County shall establish a preventative maintenance program for all ambulances and equipment used in emergency response. All costs, including repairs, associated with this program shall be covered by the County.
 - v. Revenue Recovery. The proceeds of revenue recovery generated from ambulance transport by both MEMS and MCRS shall be deposited into the County general funds. Each quarter ambulance transports will be reviewed. 100% of proceeds from ambulance transports performed by MCRS shall be paid over to MCRS.
 - vi. Patient Care Reporting. MEMS shall provide Virginia Office of EMS certified MCRS volunteers access to patient care reporting software. All patient care reports generated by MCRS and MEMS personnel shall be reviewed by the MEMS QA/QI officer and forwarded to the County Chief of EMS and operational medical director for review as needed.
- B. Operational policies. The County Chief of EMS or designee may implement any operational policies as he/she determines, as necessary. Such policies shall be applicable to MEMS personnel and MCRS personnel alike. If a MCRS volunteer violates an operational policy, the County Chief of EMS or designee may act as described herein.

C. Personnel matters

MEMS personnel: MEMS personnel are governed by and must adhere to all County and MEMS policies and orders of the County Chief of EMS.

MCRS volunteers: MCRS volunteers are governed by the personnel policies as duly adopted and by the orders of the MCRS Chief, once installed, as it relates to personnel matters.

- i. The County Chief of EMS will have access to personnel records, results of background checks, DMV records, and state training records.
- ii. The County Chief of EMS shall have no power to determine the membership status of a MCRS volunteer or discipline a MCRS volunteer. The following actions and determinations are within the sole authority of the County Chief of EMS and shall NOT be considered discipline:
 - a. The County Chief of EMS or designee may remove or prohibit a MCRS volunteer from serving on a shift or providing emergency medical services if, in their sole discretion, determine that failing to do so would compromise operational safety and/or response.
 - b. The County Chief of EMS or designee may dismiss a MCRS volunteer from a response scene or from the MCRS station if his or her presence is disruptive or otherwise compromises operational safety and/or response.
 - c. The County Chief of EMS or designee determines, in their sole discretion and according to MEMS policy, whether a volunteer qualifies as a released ambulance operator or driver, released EMT, and released ALS provider. The County Chief of EMS or designee will make staffing assignments and otherwise determine the fitness of a MCRS volunteer to provide emergency response based on these determinations. The County Chief of EMS or designee may change the assessment of a volunteer's "released" status as needed.
- ii. If the County EMS Chief or designee acts as described above, they will expeditiously report such action to the MCRS Chief.

D. Accident review. The County Chief of EMS or designee will be responsible for vehicle accident review and may take whatever action necessary to remediate or remove a driver who has been involved in a vehicle accident. "Vehicle accident" includes non-moving and single-vehicle incidents. The driver and EMS crew involved shall be subject to the County's drug and alcohol testing policy.

E. Funding. As the governing body responsible for the overall provision of Emergency Medical Services, the County recognizes its obligation to provide financial assistance to MCRS that have accepted responsibility for actual service delivery to the citizens.

- i. Monetary contributions made to MCRS by the County shall be appropriated through the annual County budget process.
 - ii. Funding allocated to MCRS shall be consistent with a funding formula that has been mutually agreed to by the County and MCRS.
 - iii. Should the County choose to make loans available to MCRS, they shall be subject to appropriations and made in accordance with contractual procedures promulgated by the County and all applicable laws and regulations.
 - iv. Under law, the County is required to ensure that public funds which it disburses, are expended properly for their intended purpose. MCRS shall maintain records of receipt and expenditure of such funds to document proper use of said funds for their intended purpose.
 - v. MCRS shall supply an annual financial audit of the corporation performed by an independent certified entity. The results shall be submitted to the Madison County Board of Supervisors prior to distribution of funding to MCRS.
 - vi. MCRS shall file the required Annual Financial Statement using such forms and procedures as prescribed by the County.
 - vii. Receipt of public funds by MCRS shall not in any way affect MCRS's right to solicit or raise money locally from the community, providing such local fund-raising activities are conducted within the bounds of applicable laws or regulations.
 - viii. During the County's annual budget process, MCRS may make requests for special appropriations. Such requests shall be forwarded through the County's Board liaison.
- F. Training. MEMS will require career personnel to maintain knowledge and skill proficiency through an approved training program by the County Operational Medical Director(s). MEMS will assist MCRS with their station training programs as available and requested. MEMS will also assist with the development of countywide courses. An annual skill and knowledge evaluation as determined by the County Operational Medical Director(s) and County Chief of EMS or designee shall be performed annually for MEMS and MCRS operational personnel.
- G. Community interface. For any complaints made by members of the community EMS system partners as they relate to operational response and service, MEMS will process and respond to such complaints if they involve MEMS personnel.
- i. If a complaint involves MCRS personnel, the County Chief of EMS or designee will assess whether the complaint alleges issues with service response and performance. The Chief of EMS or designee, in their sole discretion, may remove a MCRS volunteer from a shift or otherwise remediate a situation based on a complaint.

- ii. If a complaint involves MCRS personnel, the County Chief of EMS or designee will report the complaint to the MCRS Chief, regardless of whether any action was taken by the County Chief of EMS or designee.
- iii. Although the County anticipates supporting MCRS recruiting efforts, it will not be ultimately responsible for or required to participate in volunteer recruiting efforts.

V. MCRS Responsibilities

- A. *Organizational integrity.* MCRS is solely responsible for the viability and corporate health of its organization.
- B. *Membership and recruitment, generally.* MCRS is ultimately responsible for recruiting, retaining, processing, firing, training, and development of all MCRS personnel. MCRS makes all decisions on membership status and discipline, if necessary.
 - i. MCRS will maintain accurate personnel records and be made available for review to the County Chief of EMS or designee.
 - ii. MCRS will maintain an up to date vehicle replacement plan and be made available for review to the County Chief of EMS or designee.
 - iii. As a non-designated emergency agency, MCRS will provide staffing as it is able. MCRS Chief shall submit a monthly staffing plan to the County Chief of EMS by the 20th day of the preceding month. It is understood provided MCRS staffing may change after submission and should not be considered as part of minimum staffing for the County.

VI. Responsibilities of All Parties

- A. *Communication.* Both parties will provide open and consistent communication throughout the performance of this Agreement. The parties will make every effort to be transparent and accurate in their representations. Inaccuracies and chronic untimeliness in MCRS reporting to the County may be a factor in termination of this Agreement.

VII. Insurance and liability issues

- A. Both sides acknowledge that MCRS volunteers and other personnel are not County employees. MCRS currently has in place certain insurance protections for its volunteers and will continue to maintain the same, or similar insurance, during the execution of its responsibilities under the provisions of this Agreement. While the County shall not be required to provide any specific health or accident insurance for MCRS, it shall notify its liability insurance carrier, if any, of the terms of this Agreement and to include coverage for any liability claims against MCRS or its volunteers or personnel in the form of a rider to said policy. Both sides recognize that the County enjoys sovereign immunity under existing Virginia law for its protection from certain claims against it for negligent acts and that this Agreement for the joint provision of emergency medical services may allow MCRS in certain instances to receive the protection of sovereign immunity for its provision of emergency medical services. Both sides agree that all actions taken in furtherance of this Agreement in the provision of emergency medical services are deemed to be for public and governmental services, and they will continue to be protected by all immunities that exist under the law.
- ~~B. *Waiver and Release.* Further, MCRS agrees to forever waive liability and claim of damages and release the County and its officers, employees, and agents (collectively, "the County") from liability or responsibility for any damages or injuries resulting from the performance under this Agreement, including but not limited to any damage or injury resulting from use of entry or breaching techniques and use of force. Further, MCRS expressly release the County from any liability for damages suffered by MCRS personnel when acting under the tactical direction or incident command of MEMS personnel. It is acknowledged and agreed that at no time are MCRS personnel, agents, volunteers, or servants of the County for purposes of this Agreement.~~
- B. *Governmental Purposes.* The parties agree that all actions taken by County personnel under this Agreement are deemed to be for public and governmental purposes, and the County continues to enjoy all immunities from liability under the law.

VIII. Review and Termination of Agreement

- A. Early Termination. Any Party may terminate its participation in this Agreement by providing 90 days written notice to:

Madison County Board of Supervisors
 PO Box 705.
 Madison, VA 22727
 (540)____-____(telephone)
 (540)____-____(facsimile)

Madison County Volunteer Rescue Squad, Inc.

- B. MCRS shall give the County a minimum of 60 day-notice before executing any corporate dissolution, or permanently withdrawing emergency transport service from the County.

IX. Miscellaneous Provisions

- A. Release of Information. To fulfill its obligations under this Agreement, the County will likely possess records and information of MCRS. MCRS acknowledges that the County is subject to the Virginia Freedom of Information Act and other provisions of law that may require, prohibit, or allow the discretionary release of information in its possession. The County will follow federal, state, and local law and regulation and exercise its discretion in the release of information as it sees fit. If practicable, prior to release of information or documents that were obtained from MCRS, the County will advise MCRS of the intended release.

Appendix A

MCRS Volunteer “Accelerated” Release Requirements for MEMS EMS Function

Note: All MCRS providers must meet criteria #1-3; criteria 4 and 5 are required and are specific for BLS and ALS providers, respectively.

- 1) Current, active Virginia certification as an EMT **AND** currently released by MCRS at a particular EMT level of practice.
- 2) Recent **AND** current EMS experience with MCR, confirmed by **either A OR B**
 - a. MEMS EMS leadership (Chief, Lieutenants, Duty Officer) has consistent experience with MCRS provider in the past 6-12 months responding to 911 calls **AND** managing patients: and /or
 - b. If MEMS EMS leadership determines a MCRS member has not been directly and consistently involved in 911 response **AND** patient care with MEMS providers, a report from MCRS showing the number of calls managed over the past year is required.
 - i. The acceptable primary metrics for this criterion are as follows: 26 duty shifts or 20 direct patient contacts/year.
 - ii. The provider need not necessarily meet both metrics but must attain at least one or the other primary metric as noted in “I” above.
 - iii. If only one of the primary metrics (26 duty shifts/year and 20 patient contacts/year) is met, then the provider must meet the minimum in the other metric as follows: 13 duty shifts/year or 10 patient contacts/year.
 - iv. For example, if a provider meets the minimum duty shifts of at least 26/year then the provider must also have at least 10 patient contacts/year; similarly, if the provider meeting the minimum number of patient contact/year at 20 patients, then the provider must have served at least 13 shifts/year.
 - v. If the provider is unable to meet the metrics noted above, MEMS leadership in consultation with OMD will develop an individual training plan for the provider.
- 3) Written endorsement by MCRS Training Officer AND MCRS Operational Medical Director (Robert O’Connor, MD) attesting to current level of release with MCRS. An email stating such endorsement sent to Noah Hillstrom and William Brady is acceptable.
- 4) BLS Providers - If criteria 1, 2, and 3 are met at the determination of the MEMS EMS leadership, the BLS provider will be released. A mega-code is not required for BLS providers, unless specified by MEMS EMS leadership.
- 5) ALS Providers (EMT-A, EMT-I or EMT-P) - meeting (including mega-code) with MEMS Operational Medical Director (William Brady) is required prior to release, once criteria 1, 2, and 3 are met at the determination of the MEMS EMS leadership.
- 6) Current MCRS released ambulance drivers will be considered released pending verification of credentials and background check.

To: Madison Parks and Recreation Authority

From: Madison American Legion Post Home, Inc.

Reference: Madison Recreation Center

Date: 21 September 2020

PROPOSAL

1. By Deeds dated 21 January 1955 and 20 September 1984 the Madison American Legion Post Home, Incorporated, Conveyed to the Madison County Recreation Center, Incorporated, and the Madison Park and Recreation Authority, respectively, a Tract or Parcel of Land surrounding the Legion Building in order to establish a Community Center and Playground.
2. A Swimming Pool, Tennis Courts, Playground, and Picnic Shelter were Constructed on the Land, which have subsequently, with the Exception of the Tennis Courts, Fallen to Disrepair or been Abandoned.
3. These Deeds provide that the Madison American Legion conveyed to the Madison Park and Recreation Authority the Land, with Improvements, surrounding the Legion Building for the purpose of developing and maintaining “in perpetuity” a public outdoor recreation park, with the express understanding that the property would be used for all times as a public park, and are of Record in the Clerk’s Office of the Circuit Court of Madison County, Virginia, in Deed Book 71, at Page 403 and Deed Book 173, at Page 504, and the Subject Real Property Surrounding the Legion Home is Depicted on the Plat of Survey by Milton Terry Estes, Certified Land Surveyor, dated 21 May 1984, and of record in the Clerk’s Office of the Circuit Court of Madison County, Virginia, in Deed Book 173, at Page 511.
4. These Deeds Prescribe that, if the Subject Property ceases to be used as a Recreation Center and Playground, then the American Legion may Re-Enter and Take Possession of the Land and Terminate the Conveyance, and that, if the Park and Recreation Authority Sells or Conveys this Real Property or its use of the Property as a Public Outdoor Park is Discontinued, then the American Legion shall be Paid for the Real Property.
5. Accordingly, the Madison American Legion Post Home, Inc., now Requests that the Subject Real Property Revert to the Legion, where said Real Property is No Longer being used as a Public Outdoor Recreation Park.
6. Provision for the Madison Parks and Recreation Authority and the Roller Hockey League being able to Rent the Tennis Courts and Parking Lot on a Long Term Basis at a Minimal Cost, with Indemnity for the American Legion for any Loss or Injury, is Fair and Reasonable and can be Resolved by Agreement.
6. The Point of Contact for this Proposal is the undersigned.

S. Braxton Puryear, Esquire
Counsel for Madison American Legion Post Home, Inc.

S. BRAXTON PURYEAR, ESQUIRE
ATTORNEY AT LAW
121 SOUTH MAIN STREET
POST OFFICE BOX 291
MADISON, VIRGINIA 22727

TELEPHONE
(540) 948-4444

FACSIMILE
(540) 948-4451

4 March 2020

Sean D. Gregg, Esquire
Attorney at Law
Post Office Box 1300
Orange, Virginia 22960

RE: Madison American Legion Post Home, Inc. to Madison Park and Recreation Authority

Dear Sean:

Enclosed please find a Copy of the above referenced Deed. I previously Discussed this matter with you by Telephone, and this Letter is in followup to our Conversation. I Trust that this document is in order.

Many years before this Conveyance in 1984, the Madison American Legion Post Home, Incorporated, Conveyed to the Madison County Recreation Center, Incorporated, the Subject Real Property in order to establish a Community Center and Playground. I recall from my own experience as a Child Growing up in Madison, that a Swimming Pool, Tennis Courts, Playground, and Picnic Shelter were Constructed on the Land. This Deed provides that the Madison American Legion conveyed to the Madison Park and Recreation Authority the Land, with Improvements, surrounding the Legion Building for the purpose of developing and maintaining "in perpetuity" a public outdoor recreation park, with the express understanding that the property would be used for all times as a public park. This Deed is of Record in the Clerk's Office of the Circuit Court of Madison County, Virginia, in Deed Book 173, at Page 504, and the Subject Real Property Surrounding the Legion Home is Depicted on the Plat of Survey by Milton Terry Estes, Certified Land Surveyor, dated 21 May 1984, and of record in the Clerk's Office of the Circuit Court of Madison County, Virginia, in Deed Book 173, at Page 511.

Subsequently, the Swimming Pool has been Filled In and the Tennis Courts have been Converted to use as a Roller Skate Hockey Rink. The Picnic Shelter is in Disrepair. It is my understanding that a New Roller Hockey Rink is being Constructed at the Hoover Ridge Recreation Complex and that the Roller Hockey Rink will Revert to a Tennis Court. This Deed Prescribes that, if the Park and Recreation Authority Sells or Conveys this Real Property or its use of the Property as a Public Outdoor Park is Discontinued, then the American Legion shall be Paid for the Real Property.

The Commander of the American Legion Post Home, Inc., has Contacted me to Inquire as to the Subject Real Property Reverting to the Legion, now that it is No Longer being used as a Public Outdoor Recreation Park. I would suggest that this is a Fair and Reasonable Request,

Sean D. Gregg, Esquire
4 March 2020
Page Two

under the circumstances. I would further suggest that there should be No Monetary Consideration pursuant to this Transaction. I would be Glad to Prepare the Deed of Conveyance and any Corporate Resolution for the Legion and the Park and Recreation Authority. Please advise me as to how the County of Madison wishes to proceed in this matter. I will look forward to hearing from you in this regard.

Please advise me as to any questions that you may have. Thank you for your attention to this matter.

Sincerely;



S. Braxton Puryear

Enclosure
SBP: crc
Copy: LTC (R) Charles Michael Fisher

MADISON
COUNTY, VA.
DEED NO. 1028

BOOK 173 PAGE 50A

THIS DEED made this 20th day of September, 1984, by and between MADISON AMERICAN LEGION POST HOME, Inc. and the MADISON COUNTY RECREATION CENTER, INC., both of which are Virginia non-profit corporations, parties of the first part, and MADISON PARK AND RECREATION AUTHORITY, a "park authority" formed under Section 15.1-1230 of the Code of Virginia, party of the second part.

W I T N E S S E T H:

WHEREAS by deed dated January 21, 1955, and recorded in the office of the Circuit Court of the County of Madison in Deed Book 71, at Page 403, Madison American Legion Post Home, Inc. did convey to Madison County Recreation Center, Inc. a certain parcel of land located in the Town of Madison to be used for the purpose of a community center and playground; and,

WHEREAS the grantor in said deed reserved the right of re-entry and possession if the said land were not used for the aforesaid purposes; and

WHEREAS the parties of the first part wish to convey all of their right, title and interest in said property to the party of the second part including the right of re-entry described above; and

WHEREAS the Madison American Legion Post Home, Inc. wishes to convey additional property to the party of the second part to correct an encroachment of the present tennis courts on the property of the Madison American Legion Post Home, Inc.;

NOW, THEREFORE, in consideration of the aforesaid premises and of the sum of TEN DOLLARS (\$10.00) paid by the party of the second part to the parties of the first part and other good and valuable

BOOK 173 PAGE 505

consideration, the receipt of which is hereby acknowledged, the said parties of the first part do hereby bargain, sell, grant and convey with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE unto the Madison Park and Recreation Authority for the purpose of developing and maintaining in perpetuity a public outdoor recreation park, and with the express understanding that said property shall be used for all times as a public park, consonant with the provisions of the Land and Water Conversation Fund Act of 1965 (78 Stat. 987) and as amended applicable to the acquisition and development of outdoor recreation facilities in fee simple the following described property, to-wit:

All that certain tract or parcel of land with all improvements located thereon being in the former Rapidan Magisterial District of Madison County, Virginia, about one-fourth mile West of U.S. Highway No. 29 in the outskirts of the Town of Madison, Virginia, on the Northwest side of State Route No. 657 and designated as Lot A and Lot B in a plat of survey prepared by Milton Terry Estes, C.L.S., dated May 21, 1984, hereunto attached and made a part of this deed. Lot B is the same property in all respects as was conveyed to Madison County Recreation Center, Inc. as aforesaid.

If the real estate conveyed by this deed is ever sold or conveyed by the Madison Park and Recreation Authority, or its use as a public outdoor recreation park is discontinued, payment shall be made to the American Legion Post Home, Inc., upon said sale or conveyance or upon the discontinuance of its use as a public outdoor recreation park, in an amount equal to the 1984 fair market value plus interest at the legal rate from the date of this deed to the date of such sale, conveyance, or discontinuance.

There is also conveyed to the party of the second part a general easement for ingress and egress to and from State Route 657 across the driveway and parking lots of the Madison American Legion Post Home, Inc. and the right to use the parking lots on the Southeast

BOOK 173 PAGE 506

and Southwest side of the Legion Hall. The party of the second part agrees to provide for the repair and maintenance of said driveway and parking lots. Should the land conveyed by this deed ever cease to be used by the party of the second part or its successors in interest as a public park said right of ingress and egress and right of use shall terminate.

In consideration of the above, the Madison American Legion Post Home, Inc. is hereby granted an easement to use and maintain the existing septic system and drainfield near the southern-most corner of the Legion Hall building.

Resolutions of the Madison American Legion Post Home, Inc. dated September 20, 1984 and the Madison County Recreation Center, Inc. dated September 20, 1984, have been adopted by their respective Boards of Directors authorizing and directing that the appropriate officers make the conveyance as described herein.

This conveyance is made expressly subject to all restrictions, covenants and easements now of record on said property as the same may lawfully apply.

WITNESS the following signature of Madison American Legion Post Home, Inc. by Jane Walrond, Commander, A. Smith Blankenbaker, Adjutant, and Oliver Utz, Treasurer

the signature of Madison County Recreation Center, Inc. by ~~John M. Powell~~ John M. Powell, President, with its corporate seal duly affixed and attested by Peter H. York, its Secretary, and the signature of Madison Park and Recreation Authority by John M. Powell, its Chairman and attested by ~~Peter H. York~~ Peter H. York, its Secretary.

BOOK 173 PAGE 503

MADISON AMERICAN LEGION POST HOME, INC.

By: Jane B. Walund
 Commander
A. Smith Blundell
 Adjutant
Oliver V. J.
 Treasurer

CORPORATE SEAL

ATTEST:

A. Smith Blundell
 Secretary
 Adjutant

MADISON COUNTY RECREATION CENTER, INC.

By: John M. Powell, President
 President

CORPORATE SEAL

ATTEST:

Peter H. York
 Secretary

MADISON PARK AND RECREATION AUTHORITY

By: John M. Powell
 Chairman

ATTEST:

Peter H. York
 Secretary

BOOK 173 PAGE 508

STATE OF VIRGINIA

COUNTY OF MADISON, to-wit:

The foregoing Deed was this day acknowledged before me by Jane B. Walrond, Commander; A. Smith Blankenbaker, Adjutant; and Oliver Ute, Treasurer

of the Madison American Legion Post Home, Inc., and attested by A. Smith Blankenbaker, Adjutant its Secretary; by John M. Powell ~~its Secretary~~ ~~its President~~

President of the Madison County Recreation Center, Inc. and

attested by Peter H. York its Secretary; and by John M.

Powell, Chairman of the Madison Park and Recreation Authority and

attested by Peter H. York its Secretary, this 20th day of September, 1984.

Anne L. Dwyer
Notary Public

My commission expires: 6-14-89

Virginia: Clerk's Office, Circuit Court of Madison County		
State	\$ -	The <u>25</u> day of <u>Sept.</u> , 19 <u>84</u> ,
Local	-	the foregoing instrument was presented, and
Transfer	<u>1.00</u>	with the certificate annexed, admitted to
Recording	<u>0.00</u>	record at <u>11:55</u> o'clock <u>A.M.</u> , after
Grantor	<u>62.00</u>	payment of costs as shown
TOTAL	\$ <u>73.00</u>	Teste: <u>John M. Powell</u> CLERK/DEPUTY CLERK

BOOK 173 PAGE 509

CORPORATE RESOLUTION

At a regular meeting of the Board of Directors of Madison American Legion Post Home, Inc., held at the offices of the corporation at Madison, Virginia, on September 20, 1984, at which meeting all directors were personally present and waived notice of the time, place and purpose of the meeting, the following Resolution was unanimously adopted:

"RESOLVED: That the Corporation convey to the MADISON PARK AND RECREATION AUTHORITY all of its right, title and interest in a certain tract of land containing a total of 4.196 acres adjoining the lands of the MADISON AMERICAN LEGION POST HOME, INC., and others consisting of Lot A and Lot B as shown on a plat of survey prepared by Milton T. Estes, C.L.S., dated May 21, 1984, along with an easement for ingress and egress to and from State Route 657 along the driveway and parking lot presently located on the lands of the American Legion Post Home, Inc.

AND BE IT FURTHER RESOLVED: That the President or any Vice-President be authorized and directed to execute any necessary deeds of conveyance to carry out the foregoing Resolution."

A. Arnold
Secretary ~~Commander~~ Adjutant

APPROVED:

Jane B. Marnold
Chairman
Commander

Oliver B. [Signature]
Treasurer

BOOK 173 PAGE 510

CORPORATE RESOLUTION

At a regular meeting of the Board of Directors of Madison County Recreation Center, Inc., held at the offices of the corporation at Madison, Virginia, on Sept. 20, 1984, at which meeting all directors were personally present and waived notice of the time, place and purpose of the meeting, the following Resolution was unanimously adopted:

"RESOLVED: That the Corporation convey to the MADISON PARK AND RECREATION AUTHORITY all of its right, title and interest in a certain tract of land containing a total of 4.196 acres adjoining the lands of the MADISON AMERICAN LEGION POST HOME, INC., and others consisting of Lot A and Lot B as shown on a plat of survey prepared by Milton T. Estes, C.L.S., dated May 21, 1984, along with an easement for ingress and egress to and from State Route 657 along the driveway and parking lot presently located on the lands of the American Legion Post Home, Inc.

AND BE IT FURTHER RESOLVED: That the President or any Vice-President be authorized and directed to execute any necessary deeds of conveyance to carry out the foregoing Resolution."

Peter H. York
Secretary

APPROVED: John M. Powell
President

BOUNDARY SURVEY
 PORTION OF MADISON AMERICAN LEGION POST HOME, INC.
 AND MADISON COUNTY RECREATION CENTER, INC. PROPERTIES
 MADISON COUNTY, VIRGINIA

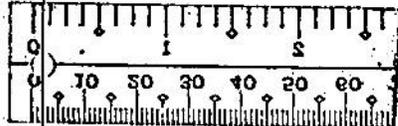
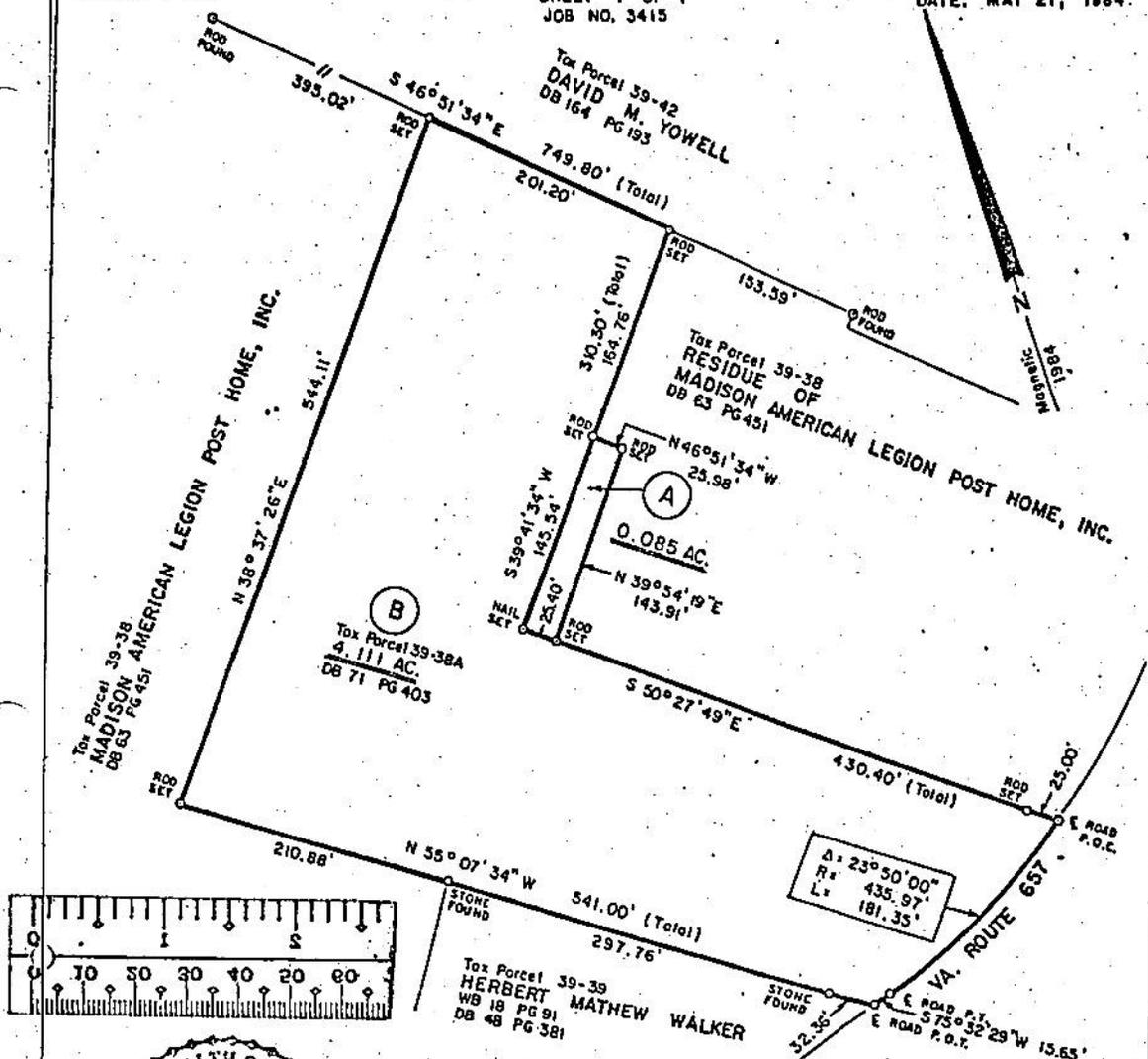
MADISON COUNTY, VA.
 DEED No. 1038

MILTON TERRY ESTES, C.L.S., INC.
 SURVEYORS & PLANNERS
 ORANGE, VIRGINIA

SCALE: 1" = 100'

SHEET 1 OF 1
 JOB NO. 3415

DATE: MAY 21, 1984



Milton T. Estes
 MILTON TERRY ESTES
 VA. C.L.S. NO. 995

- NOTES:
1. NO TITLE REPORT FURNISHED.
 2. EASEMENTS NOT SHOWN MAY EXIST.
 3. UNDERGROUND UTILITIES AND SUBSURFACE FACILITIES NOT LOCATED.
 4. PARCEL "A" IS TO BE COMBINED WITH PARCEL "B", AND DOES NOT REPRESENT AN INDIVIDUAL BUILDING LOT.

RECORDATION DATA:

Virginia: Clerk's Office, Circuit Court of Madison County	
State	\$ -
Local	\$ -
Transfer	1.00
Recording	12.00
Grantor	60.00
TOTAL	\$ 73.00

The 25 day of Sept., 1984,
 the foregoing instrument was presented, and
 with the certificate annexed, admitted to
 record at 11:55 o'clock A.M., after
 payment of costs as shown.

Tests: John M. Powell
 CLERK/CIRCUIT COURT

MADISON COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

11.

MEETING DATE: November 24, 2020

AGENDA TITLE: Consideration: Leathers Lane Improvement Work

INDICATED MOTION(s): N/A

STAFF LEAD: County Administrator Jack Hobbs

TIMING: Discussion following a dismissed lawsuit resulted in the Board issuing a position statement on the Leathers Lane (Syria Mountain Estates) maintenance matter on August 9, 2018. Since then the area residents have provided routine light maintenance to the roadway. On September 22, 2020 a proposal for a more significant maintenance effort was presented to the Board and subsequently approved. Following the discussion suspending all licenses to maintain the road on November 10, 2020, a second heavy maintenance effort proposal dated November 12, 2020 was received from Darryl Whidby.

DISCUSSION

The Whidby proposal involves installing gravel in the roadway areas not covered by the heavy maintenance work approved earlier, but it is not clear whether all other areas would be graveled. The Whidby project contemplates:

1. Installation of some amount of “#57” gravel (a) in front of lot 20 and (b) from the VDOT-maintained portion of Leathers Lane to the driveways serving dwellings at Lots 1 and 22.
2. No digging/grading or other road changing work.
3. No pipe replacement or installation is contemplated.
4. The labor, machinery and materials for the work proposed would be funded by others (i.e. not the County).
5. The work would be done immediately after other approved (Hoffman) work.

Mr. Whidby verbally asked that he be granted a license to maintain these two areas for an unspecified time.

Staff notes that the land where the work would occur is owned by the County and that the County has not been involved in the selection of a contractor or refereeing who would fund the proposed endeavor. Once the gravel is installed it would effectively become County property via donation.

FISCAL IMPACT: N/A

REFERENCES: N/A

HISTORY: N/A

RECOMMENDATION: Discuss the matter, direct the staff to send the proposal to all Syria Mountain Estates property owners with a request for written comments, and schedule a vote on the proposal for the December 8 Board meeting.

Staff suggests that any approval be a one-time approval such that it would be expected to be completed by a date certain with future work requiring additional approval. The license with no expiration to do maintenance needs discussion.

ENCLOSURES:

- November 12, 2020 proposal from Whidby
- Map showing property configuration and proposed improvement areas
- Board of Supervisors August 9, 2018 statement on Leathers Lane

November 12, 2020

Rec'd 11. 20

Dear Mr. Hobbs,
Board of Supervisors,
Mr. Gregg

This is a proposal we would like the county to consider looking at.

We would like to be able to lay #57 gravel in front of lot 20, the Whidby's, after Mr Hoffman has finishes his work on section 2 of the Lenhoff's project.

We would also like to be able to finish the entrance from the main road to the driveways of Mr. Gulas and the Goodell's. We were working on on that section laying gravel when we were told to stop.

All we need to do is finish spreading the gravel and light raking

No digging or road changing, etc. after Mr. Hoffman has finished his work.

We would like to invite Mr. Jackson, and Mr. Aylor to do a walk through with myself and Mrs. Whidby at you convenience. We would like to show what we would be doing.

We are also fully funding this project.

If the Lenhoff's, and their group were granted permission to do 2 sections of Leathers Lane, WE the residents who live here full time, who travel this road every day for years, would like to be granted permission to gravel and maintain in the future these 2 sections. We believe this would be fair to all SME residents.

Their "Group" has managed just in one month to take away what the SME community has been doing for years.

The gravel is part of the beauty of SME. So many people have commented on how nice the entrance looks, we like to keep it this way for the future.

phone number 540-923-4272

Thank you,

The Whidby's and SME lot and home
owners

Madison County Sheriff's Office

Erik J. Weaver, Sheriff



Mike Foster

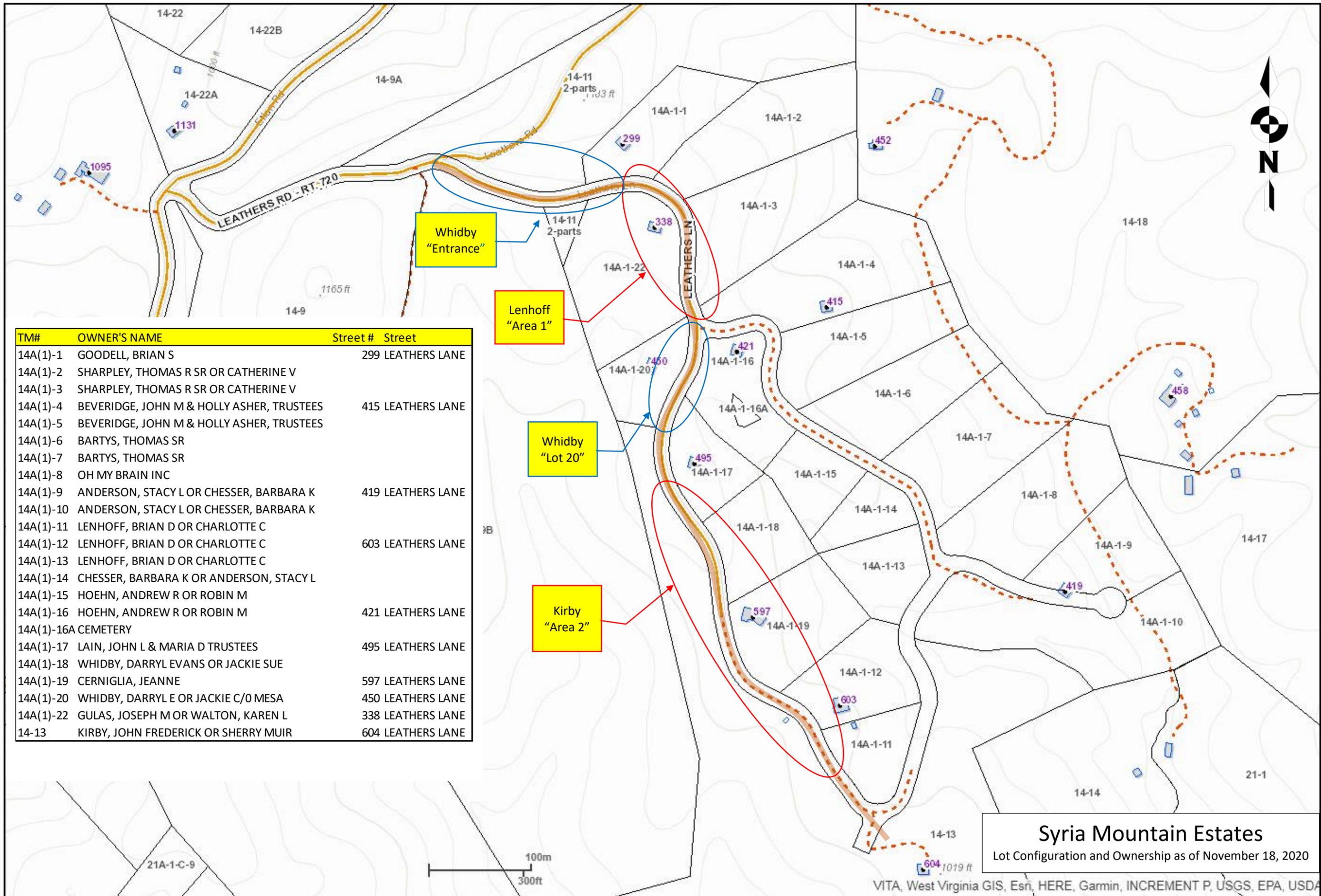
Deputy Sheriff

School Resource Officer

115 Church St
Madison, VA 22727
Main Office: 540-948-5161
Fax: 540-948-3069

email: mfoster@madisonco.virginia.gov

Incident #
2020-010273



TM#	OWNER'S NAME	Street #	Street
14A(1)-1	GOODELL, BRIAN S	299	LEATHERS LANE
14A(1)-2	SHARPLEY, THOMAS R SR OR CATHERINE V		
14A(1)-3	SHARPLEY, THOMAS R SR OR CATHERINE V		
14A(1)-4	BEVERIDGE, JOHN M & HOLLY ASHER, TRUSTEES	415	LEATHERS LANE
14A(1)-5	BEVERIDGE, JOHN M & HOLLY ASHER, TRUSTEES		
14A(1)-6	BARTYS, THOMAS SR		
14A(1)-7	BARTYS, THOMAS SR		
14A(1)-8	OH MY BRAIN INC		
14A(1)-9	ANDERSON, STACY L OR CHESSER, BARBARA K	419	LEATHERS LANE
14A(1)-10	ANDERSON, STACY L OR CHESSER, BARBARA K		
14A(1)-11	LENHOFF, BRIAN D OR CHARLOTTE C		
14A(1)-12	LENHOFF, BRIAN D OR CHARLOTTE C	603	LEATHERS LANE
14A(1)-13	LENHOFF, BRIAN D OR CHARLOTTE C		
14A(1)-14	CHESSER, BARBARA K OR ANDERSON, STACY L		
14A(1)-15	HOEHN, ANDREW R OR ROBIN M		
14A(1)-16	HOEHN, ANDREW R OR ROBIN M	421	LEATHERS LANE
14A(1)-16A	CEMETERY		
14A(1)-17	LAIN, JOHN L & MARIA D TRUSTEES	495	LEATHERS LANE
14A(1)-18	WHIDBY, DARRYL EVANS OR JACKIE SUE		
14A(1)-19	CERNIGLIA, JEANNE	597	LEATHERS LANE
14A(1)-20	WHIDBY, DARRYL E OR JACKIE C/O MESA	450	LEATHERS LANE
14A(1)-22	GULAS, JOSEPH M OR WALTON, KAREN L	338	LEATHERS LANE
14-13	KIRBY, JOHN FREDERICK OR SHERRY MUIR	604	LEATHERS LANE

Syria Mountain Estates
 Lot Configuration and Ownership as of November 18, 2020

VITA, West Virginia GIS, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

MADISON COUNTY'S POSITION ON LEATHERS LANE

The Madison County Board of Supervisors has reviewed the material provided by citizens interested in the road situation at Leathers Lane, and has received input from a number of citizens of the County.

The Board wishes to thank the residents who have submitted their comments and provided input to the County.

The critical documents the County has reviewed include Judge Daniel Bouton's opinion letter dated November 20, 2017, which articulated the responsibilities among the parties related to the road. The County makes the following comments:

1. The County is the owner of the land upon which the road is situated. The County's ownership of the land is subject to the Dedication and the Deed of Dedication of the streets and rights-of-way shown on the Deed of Dedication recorded in Deed Book 108, page 212, of the Madison County Circuit Court Clerk's Office.

2. The County shall NOT be requested to take any of the roads in Syria Mountain Estates into the highway system unless and until the lot owners and proprietors have brought the streets up to the specifications of the Virginia Department of Highways. [Emphasis supplied.]

3. The streets have never been built to the standards of the state highway system. Accordingly, neither the owners of the properties in the subdivision, nor the proprietors who develop the subdivision have the right to request that Madison County bring the roads into the state highway system.

4. The County does NOT believe that Virginia Code Section 55-50.3 applies in this matter. Section 55-50.3, by its terms, applies "whenever a public road that has never been abandoned but is NO LONGER" publicly maintain services as access for more than one property owner.

5. The County believes that the Courts would impose a strict reading on Section 55-50.3, and, therefore, the statute only applies to roads that were once publicly maintained. All of the parties in this matter recognize that Leathers Lane has never been publicly maintained.

6. The County will NOT make improvements or repairs on any roads that are not in the state highway system. Since the institution of the Byrd Act, Madison County has not provided such improvements for any roads in the County that are not State maintained, and Madison County chooses not to engage in this process for Leathers Lane.

7. As the owner of the underlying land, Madison County reserves the right to exercise its ownership interests in the road by confining the actual roadway to its present condition and location. Madison County likewise reserves the right to prohibit any repairs or modifications to the roadway. If anyone makes such improvements, without the prior written consent of the

Madison County Board of Supervisors, may be subject to criminal prosecution.

8. Madison County commends the residents in the subdivision for the current state of repair of the road. Madison County hopes that the residents in the area can work together to resolve any disputed issues.

9. Moving forward, Madison County articulates the following standards for any modifications to Leathers Lane, applicable to ALL RESIDENTS.

a. Any such modifications to Leathers Lane shall meet applicable Virginia Department of Transportation guidelines for a public road. This way, any additional development will avoid the issues present today.

b. No private citizen shall have the right to change the existing road.

c. Madison County reserves its authority as the owner of the underlying land, and is not relying on the provisions of Virginia Code Section 55-50.3, discussed above.

d. All residents of the area shall have a revocable license to undertake the routine basic maintenance along the whole road. Basic maintenance is defined as replenishing gravel, raking gravel and smoothing the road, and clearing ditches, as necessary. Madison County shall NOT be responsible for reimbursing any costs related to these actions. Madison County further requests that the neighbors develop a plan going forward to continue the maintenance of the road.

e. No resident shall erect any signs on the property owned by Madison County, and any such signs shall be removed.

10. Madison County is grateful that the residents have maintained the area between the roadway and their respective property line, and the County encourages the residents to continue to do so. The County hereby advises the neighbors in Syria Mountain Estates to police the area abutting their individual property line and extending to the road. The County discourages anyone conducting any maintenance beyond the immediate area of their property line, and the County will consider any abuse of this license to be trespassing.

11. The County would be willing to convene a meeting of the homeowners affected by the use of Leathers Lane, in an effort to restore the tranquility that has characterized this area for so long. The County is under no obligation to do so, but wanted to make this option known.

Chairman
R. Clay Jackson

Vice-Chairman
Charlotte Hoffman

BOARD MEMBERS
Amber Foster
Kevin McGhee
Carlton Yowell

Madison County Board of Supervisors



County Administrator
Jack Hobbs

County Attorney
Sean D. Gregg

302 Thrift Road
P. O. Box 705
Madison, Virginia 22727
(540) 948-7500 (ph)
(540) 948-3843 (fax)

September 24, 2020

Brian Lenhoff
9565 Woodbrook Ln
Midland VA 22728

Via Email to brianlenhoff@gmail.com

RE: Syria Mountain Estates/Leathers Lane Maintenance

Dear Mr. Lenhoff:

Please consider this letter as confirmation that Madison County has approved the maintenance proposed in your September 7, 2020 email with the exceptions and understandings as follows:

- Road maintenance work in the area adjacent to Lot 20 in the Syria Mountain Estates Subdivision is not approved.
- A travel lane is to remain open during construction such that ingress and egress by all property owners, residents and emergency services vehicles will be unrestricted.
- You and your group will be responsible for any stormwater and erosion/sedimentation damage during and following construction until the work is stabilized, whether on the Leathers Lane right of way or private property.
- The work will be done in the next few months. Any future similar work will require another approval process.
- All construction work is to be funded by you and your group; no Madison County funding has been approved for the activity you propose.

Monitoring of the work you would perform on County-owned real estate has been assigned to Matt Aylor. As such, please consider him your County liaison for this project.

As always, please let me know if you have additional questions or concerns.

Sincerely,

Jack Hobbs
County Administrator

Cc: Darryl Whidby, Property Owner
Matt Aylor, Soil & Erosion Administrator

From: Brian D Lenhoff <brianlenhoff@gmail.com>
Sent: Monday, September 14, 2020 1:10 PM
To: sdgregg@sdgregglaw.com; Jack Hobbs <jhobbs@madisonco.virginia.gov>
Cc: robin.hoehn@verizon.net; jandskirby5@aol.com
Subject: Re: Proposed Leathers Lane Road Work @ Syria Mountain Estates

Dear Mr. Gregg and Mr. Hobbs,

Following up on the email that I sent you on September 7 (email is attached), requesting approval to do road repairs to particular sections of Leathers Lane. We would like to have the repairs done before we get any more rain and winter sets in.

In addition to the information/attachments that I included in the previous email, I've attached Mr. Hoffman's estimates. The estimate for work area 1 is attachment number 168 and is the portion of the road that several homeowners will be fully funding. The estimate for work area 2 is attachment number 169 and is the portion of the road that John and Sherry Kirby are fully funding.

Looking forward to hearing from you soon so that we can move forward with the needed road repairs.

Thanks,
Brian D. Lenhoff
703.216.3248 - cell

On Mon, Sep 7, 2020 at 4:56 PM Brian D Lenhoff <brianlenhoff@gmail.com> wrote:
Dear Mr. Gregg and Mr. Hobbs –

Following the process determined by the Madison County Board of Supervisors with regard to road repairs on Leathers Lane at Syria Mountain Estates (SME), this letter is to start the process requesting road repair permission from you/Madison County, to particular sections of Leathers Lane.

Robin and Andy Hoehn, John Kirby, my wife Charlotte, and I met with Robert Hoffman of Robert Hoffman Excavating, to acquire estimates to repair portions of Leathers Lane that have deteriorated from years of rain and vehicular traffic. Mr. Hoffman stated the fix will simply require raising the existing road grade to portions of the road that have washed away. This would be accomplished by filling in the washed-out areas with #3 stone and 21-A stone and then compacting it. There will be minimal disturbance to the grassy areas along the right-of-way (ROW), adjacent to the road, of approximately 1" deep, 6" wide, along both sides of the work area within the limits of the County owned ROW.

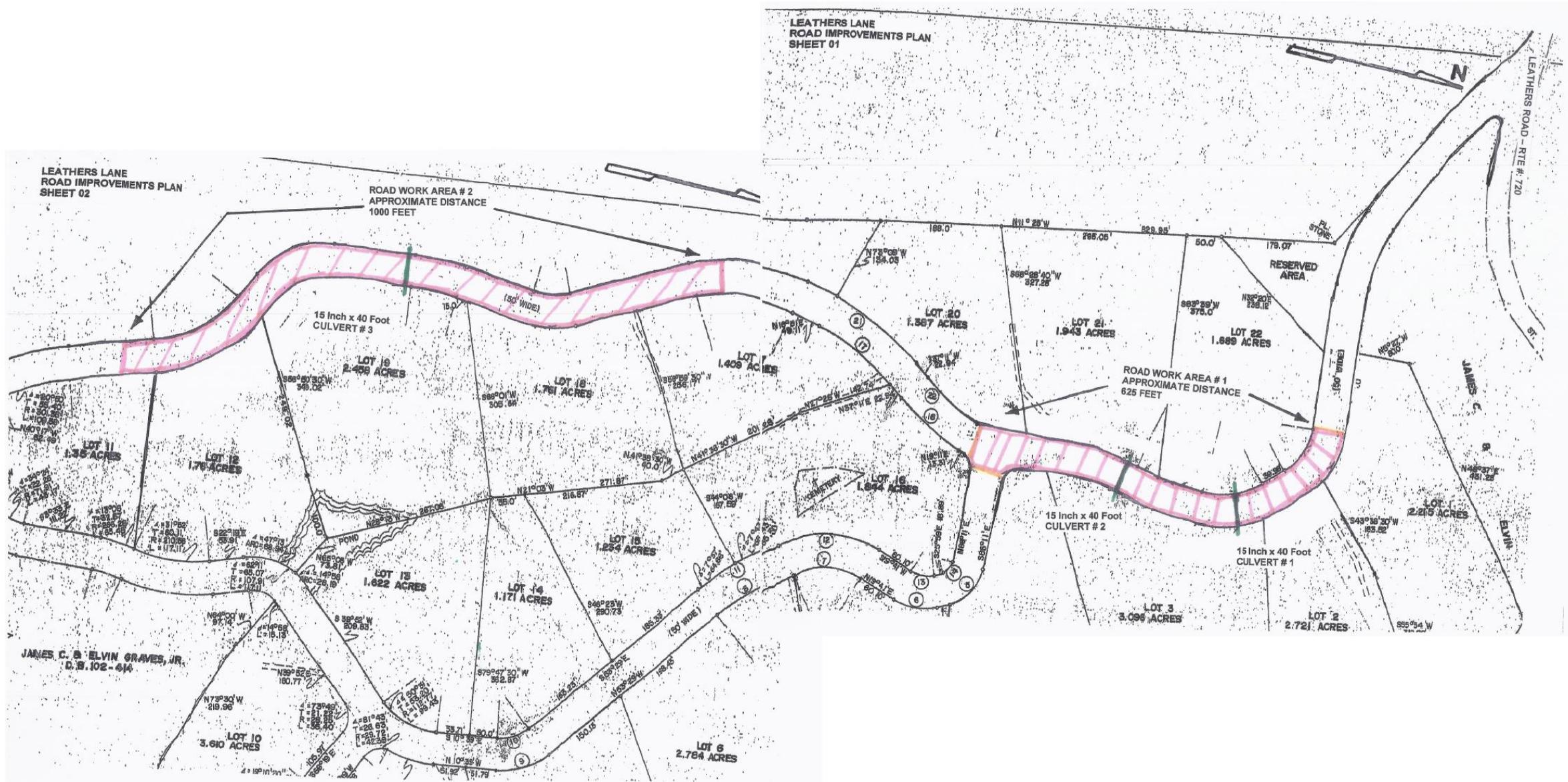
Mr. Hoffman recommended that we install fifteen inch by forty foot culverts, in three different locations, within the work areas, to manage road water drainage. Two culverts would be located in Work Area 1, and one culvert in Work Area 2 (see attached community plat maps). Culvert # 1 is approximately 860 feet from Leathers Road (rte-720). Culvert # 2 is approximately 1,260 feet from Leathers Road. And, Culvert # 3 is approximately 2,550 feet from Leathers Road.

Robin Hoehn sent an email to each homeowner at SME, and a letter, via the U.S. Postal Service, to the lot owners without homes, about the proposed road work. The work will be fully funded by some of the residents at SME.

Looking forward to hearing from you as these sections of the road needs to be repaired before we get another heavy rain.

Thank you -

Brian D. Lenhoff
703.216.3248 - cell



ROBERT L. HOFFMAN
2378 W HOOVER ROAD
HAYWOOD, VA 22722

Estimate

DATE	ESTIMATE #
9/1/2020	168

NAME / ADDRESS
ROBIN HOEHN

Ship To

TERMS

ITEM	QUANTITY	DESCRIPTION	U/M	COST	TOTAL
		SCOPE OF JOB: REPAIR OF COUNTY ROAD AND ADD 2 CULVERTS			
STONE	48	21-A STONE	ton	24.95	1,197.60
STONE	32	#3'S STONE	ton	27.95	894.40
SUPPLIES	2	15 X 40 CULVERT PIPES	EA	500.00	1,000.00
COMBO	12	EQUIPMENT TIME	hr	125.00	1,500.00
STONE	10	GABION STONE FOR CULVERT ENDS	ton	50.00	500.00
SUPPLIES	1	SEED AND STRAW IF NEEDED		100.00	100.00
		SALES TAX		5.30%	0.00

This is an Estimate Only and total price is subject to change.	TOTAL	\$5,192.00
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Fax #

SIGNATURE _____

ROBERT L. HOFFMAN
 2378 W HOOVER ROAD
 HAYWOOD, VA 22722

Estimate

DATE	ESTIMATE #
9/1/2020	169

NAME / ADDRESS
JOHN KIRBY jandskirby5@aol.com

Ship To

TERMS
Net 30

ITEM	QUANTITY	DESCRIPTION	U/M	COST	TOTAL
SCOPE OF JOB: REPAIR OF COUNTY ROAD AND ADD CULVERT					
STONE	32	#3'S STONE	ton	27.95	894.40
STONE	48	21-A STONE	ton	24.95	1,197.60
SUPPLIES	1	15 X 40 CULVERT PIPE	ft	500.00	500.00
COMBO	8	EQUIPMENT TIME	hr	125.00	1,000.00
SUPPLIES	5	GABION STONE FOR THE ENDS OF CULVERT PIPE	ft	50.00	250.00
SUPPLIES	1	SEED AND STRAW IF NEEDED	ft	100.00	100.00
		SALES TAX		5.30%	0.00
TOTAL					\$3,942.00

Fax #

SIGNATURE _____

MADISON COUNTY’S POSITION ON LEATHERS LANE

The Madison County Board of Supervisors has reviewed the material provided by citizens interested in the road situation at Leathers Lane, and has received input from a number of citizens of the County.

The Board wishes to thank the residents who have submitted their comments and provided input to the County.

The critical documents the County has reviewed include Judge Daniel Bouton’s opinion letter dated November 20, 2017, which articulated the responsibilities among the parties related to the road. The County makes the following comments:

1. The County is the owner of the land upon which the road is situated. The County’s ownership of the land is subject to the Dedication and the Deed of Dedication of the streets and rights-of-way shown on the Deed of Dedication recorded in Deed Book 108, page 212, of the Madison County Circuit Court Clerk’s Office.

2. The County shall NOT be requested to take any of the roads in Syria Mountain Estates into the highway system unless and until the lot owners and proprietors have brought the streets up to the specifications of the Virginia Department of Highways. [Emphasis supplied.]

3. The streets have never been built to the standards of the state highway system. Accordingly, neither the owners of the properties in the subdivision, nor the proprietors who develop the subdivision have the right to request that Madison County bring the roads into the state highway system.

4. The County does NOT believe that Virginia Code Section 55-50.3 applies in this matter. Section 55-50.3, by its terms, applies “whenever a public road that has never been abandoned but is NO LONGER” publicly maintain services as access for more than one property owner.

5. The County believes that the Courts would impose a strict reading on Section 55-50.3, and, therefore, the statute only applies to roads that were once publicly maintained. All of the parties in this matter recognize that Leathers Lane has never been publicly maintained.

6. The County will NOT make improvements or repairs on any roads that are not in the state highway system. Since the institution of the Byrd Act, Madison County has not provided such improvements for any roads in the County that are not State maintained, and Madison County chooses not to engage in this process for Leathers Lane.

7. As the owner of the underlying land, Madison County reserves the right to exercise its ownership interests in the road by confining the actual roadway to its present condition and location. Madison County likewise reserves the right to prohibit any repairs or modifications to the roadway. If anyone makes such improvements, without the prior written consent of the

Madison County Board of Supervisors, may be subject to criminal prosecution.

8. Madison County commends the residents in the subdivision for the current state of repair of the road. Madison County hopes that the residents in the area can work together to resolve any disputed issues.

9. Moving forward, Madison County articulates the following standards for any modifications to Leathers Lane, applicable to ALL RESIDENTS.

- a. Any such modifications to Leathers Lane shall meet applicable Virginia Department of Transportation guidelines for a public road. This way, any additional development will avoid the issues present today.
- b. No private citizen shall have the right to change the existing road.
- c. Madison County reserves its authority as the owner of the underlying land, and is not relying on the provisions of Virginia Code Section 55-50.3, discussed above.
- d. All residents of the area shall have a revocable license to undertake the routine basic maintenance along the whole road. Basic maintenance is defined as replenishing gravel, raking gravel and smoothing the road, and clearing ditches, as necessary. Madison County shall NOT be responsible for reimbursing any costs related to these actions. Madison County further requests that the neighbors develop a plan going forward to continue the maintenance of the road.
- e. No resident shall erect any signs on the property owned by Madison County, and any such signs shall be removed.

10. Madison County is grateful that the residents have maintained the area between the roadway and their respective property line, and the County encourages the residents to continue to do so. The County hereby advises the neighbors in Syria Mountain Estates to police the area abutting their individual property line and extending to the road. The County discourages anyone conducting any maintenance beyond the immediate area of their property line, and the County will consider any abuse of this license to be trespassing.

11. The County would be willing to convene a meeting of the homeowners affected by the use of Leathers Lane, in an effort to restore the tranquility that has characterized this area for so long. The County is under no obligation to do so, but wanted to make this option known.

Z:\Madison County Attorney Substitution for Shackelford\2018.08.01 Madison County's Position on Leathers Lane.rtf