

October 24, 2006

County of Greene, Virginia

THE CONTINUED MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, OCTOBER 24, 2006 AT 5:30 P.M. IN THE COUNTY MEETING ROOM.

Present were: Steve Catalano, Chairman
Clarence Peyton, Vice Chairman
Jeri Allen, Member
Mickey Cox, Member
Patsy Morris, Member
Ray Clarke, County Attorney
Barry Clark, County Administrator
Patti Vogt, Deputy Clerk
Tracy Morris, Finance Director

RE: EXECUTIVE SESSION

Upon motion by Clarence Peyton and unanimous vote, the Board entered into Executive Session to discuss legal and personnel matters pursuant to Section 2.2-3711 Subsection (a, 1-7) of the Code of Virginia.

Contract Matters:

- Water and sewer
- EMS
- Snow Removal

Land Acquisition:

- Water and sewer

Various Appointments:

- Planning Commission

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

Upon motion by Clarence Peyton and unanimous vote, the Board returned to Open Session.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

By unanimous vote, all members certified that only public business matters lawfully exempted from the Open Meeting requirement and only such matters as identified by the motion to enter into Executive Session were discussed.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

RE: PRESENTATION OF EMPLOYEE SERVICE AWARDS

The Chairman presented the following employee service awards.

Deborah Bunch	-	five years
Stanley Early	-	ten years
Steve Knight	-	five years
Dave Lawrence	-	five years

RE: HEALTH DEPARTMENT DIRECTOR

Dr. Lillian Peake, Executive Director of the Thomas Jefferson Planning District, was present to introduce herself and give a brief presentation on activities of the Health Department.

The major goal of the Health Department is to prevent and control infectious diseases and an immunization program is also administered. There is a reportable disease surveillance

investigation program through which health care providers report all infectious diseases. The Health Department intervenes when possible to control the spread of disease.

The Department also monitors publicly served food and approves individual wells and septic systems.

The Department also has a TB control program; rabies control program; emergency preparedness program, which is a plan for all kinds of public health disasters.

Another goal is improving health for women, infants, children and families in the community by offering a family planning clinic, nutrition education and doctor program for low income women (WIC), case management for pregnant women at high risk for poor health outcomes, dental vouchers for low income persons, dental education at schools, and a car seat program. The Health Department also works with Social Services to conduct nursing home preadmission screening and has a vital records program for birth and death certificates.

The Chairman thanked Dr. Peake for attending the meeting.

RE: PUBLIC HEARING – THE BONNING GROUP, LLC/GREENE COUNTY
EDA/MILTON OLIVER – REZONE FROM B-3 TO M-2

Mr. Bart Svoboda, Zoning Official, reviewed the request from The Bonning Group, LLC/Greene County EDA/Milton Oliver to rezone from A-1, Agriculture, to B-3, Business, and M-2, Industrial, a 12.878 acre tract and a 57.05 acre tract located on Spotswood Trail and identified on County Tax Maps as 50-(32)-1 & 2.

The proposed rezone conforms to the goals, objectives, and recommendations of the Comprehensive Plan by supporting growth in economic development that is a priority to the County.

Water and sewer facilities are available.

The Planning Commission recommended approval with acceptance of proffers and would like the applicant to proffer out relay towers and substations.

Mr. Willis Logan, Chairman of the Greene County Economic Development Authority, said the EDA enthusiastically endorse the rezone of this property and looks forward to working with the County in creating a regional business park. Also present were Mike Harding, Bonning Group, and Dennis Jarvis, Economic Development Director.

The Chairman opened the floor for public comments.

Mr. Carl Schmitt suggested fully shielded lighting be used and asked if the developer will commit to using low impact development techniques. He felt the proposed project will benefit the County.

As there were no further comments, the public hearing was closed.

Board member Jeri Allen said she was very impressed with this application. In particular, she was impressed with the inter-connectivity of roads, by-laws, and architectural and landscaping guidelines.

Board member Patsy Morris expressed concern about buffer zones. She mentioned problems at the existing industrial and business parks. Citizens do not want to look to the same thing. Mrs. Morris felt this project would be good for the County.

Vice Chairman Clarence Peyton felt the commercial development will be a big plus for the County and residential homeowners of the County.

Board member Mickey Cox confirmed that this will not cost the taxpayers of the County anything.

Mr. Dennis Jarvis, Economic Development Director, said, at this time, there are no taxpayer dollars involved. He could not speak to the future. The issue of lighting has been addressed by specifying shielded lighting.

The Chairman said the Board has been working hard to promote economic development in the County.

In regards to concerns about the existing business and industrial park, the EDA is charged with looking into those concerns and enforcing deed restrictions that are available to them. Complaints will be investigated.

Upon motion by Jeri Allen and unanimous vote, the Board approved the request from The Bonning Group, LLC/Greene County EDA/Milton Oliver to rezone a 12.878 acre tract and a 57.05 acre tract from A-1, Agriculture, to B-3, Business, and M-2, Industrial, located on Spotswood Trail and identified on County Tax Maps as 50-(32)-1 & 2 with proffers as submitted. (See Attachment "A")

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

RE: PUBLIC HEARING – SPECIAL USE PERMIT – REYNOLD & THERESA HARBISON/ALLAN DAVIS

Mr. Svoboda reviewed the request from Reynold & Theresa Harbison/Allan Davis for a Special Use Permit for a bed and breakfast on a 3.51 acre tract, zoned A-1, Agricultural, located on Spotswood Trail and identified on County Tax Maps as 50-(A)-16A.

The parcel is designated business/retail on the Future Land Use Map. The bed and breakfast will aid in the economic benefit to the County by providing lodging for visitors as well as presenting a viable tourist destination and bringing revenue to the County. Approval of this request will also preserve the historical value of the property.

Mr. Svoboda briefly reviewed VDOT comments which included using the road that will serve Hood Manor as the entrance to the Harbison property in the future.

Mr. & Mrs. Harbison will occupy the lower level of the manor house. The intent is to rent two bedrooms in the manor house and three additional rooms in the cottages currently on-site. Dinner will be offered to guests only and not open to the public.

The Planning Commission recommended approval of the Special Use Permit subject to transportation, water, and sewer concerns being addressed. Also, special event crowd attendance is not to exceed fifty (50) individuals.

Mr. Reynold Harbison, applicant, noted he and his wife currently operate a banquet facility and restaurant in Harrisonburg. Renovations will be minimally invasive.

The Chairman opened the public hearing. As there were no comments from the public, the hearing was closed.

Vice Chairman Clarence Peyton felt this is the most appropriate use for this property imaginable and agreed that concerns with transportation, water and sewer should be addressed.

Board member Patsy Morris asked if the site will be connected to public water and sewer. Mr. Svoboda said that is not the immediate plan. Connection to public facilities will be addressed when the use warrants such connections.

Board member Jeri Allen questioned the limitation of guests to 50 individuals. Mr. Svoboda said the Special Use Permit could be amended at a later date if requested. Mr. Harbison said he and his wife agreed to this limitation.

The Chairman felt this business will be an asset to the County.

Upon motion by Clarence Peyton and unanimous vote, the Board approved the request by Reynold & Theresa Harbison/Allan Davis for a Special Use Permit for a bed and breakfast on a 3.51 acre tract, zoned A-1, Agricultural, located on Spotswood Trail and identified on County Tax Maps as 50-(A)-16A with the conditions that transportation, water and sewer concerns must be addressed and special event crowd attendance is not to exceed fifty (50) individuals at any given time.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

RE: PUBLIC HEARING - GEORGE HANEY – REMOVE PROPERTY FROM MIDWAY AGRICULTURAL AND FORESTAL DISTRICT

Board member Mickey Cox excused himself due to a possible conflict of interest.

Mr. Svoboda reviewed the request from George Haney to remove, from the Midway Agricultural and Forestal District, a 144.5 acre parcel and a 144 acre parcel, zoned A-1, Agricultural, located on Dundee Road and identified on County Tax Maps as 39-(A)-15 and 29-(A)-9.

The Agricultural and Forestal Committee and the Planning Commission recommended approval of this request.

Mr. George McCallum, representative of the applicant, spoke briefly on the request. Mr. Haney is experiencing a significant health problem which makes farming difficult for him.

The Chairman opened the floor for public comment. As there were none, the public hearing was closed.

Board member Jeri Allen said she found this whole process repugnant and was prepared to support the recommendation of the AFD Committee and the Planning Commission.

Board member Patsy Morris, as a proponent of land rights, felt landowners should be able to withdraw from the A & F District if they so desire.

Vice Chairman Clarence Peyton said he would follow the recommendation of the AFD Committee and the Planning Commission in this case.

Upon motion by Jeri Allen and affirmative vote, the Board approved the request from George Haney to remove, from the Midway Agricultural and Forestal District, a 144.5 acre parcel and a 144 acre parcel, zoned A-1, Agricultural, located on Dundee Road and identified on County Tax Maps as 39-(A)-15 and 29-(A)-9.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Abstained
	Patsy Morris	-	Yes

Motion carried.

RE: RECESS

The Chairman called a five minute recess.

RE: PUBLIC HEARING TO RECEIVE PUBLIC INPUT ON THE RESTRICTION OF
COMMERCIAL TRUCK TRAFFIC THROUGH THE TOWN OF STANARDSVILLE

Mayor Jerry Bortner spoke on the request by the Town Council to restrict truck traffic through the center of Stanardsville for a number of reasons, the main one being safety. Truck traffic is also a detriment to the revitalization efforts and a safety concern with the school system.

The Chairman asked what action the Town Council has taken. Mayor Bortner said the Council was advised to request the Board of Supervisors to adopt a resolution prior to the Council taking action as the Board has more authority over the roads which are in the VDOT system.

The Chairman said the Board felt it would be appropriate to seek public input on the restriction of truck traffic in the Town of Stanardsville.

The Chairman said he would be participating in the conversation but would abstain from voting on the adoption of a resolution due to his having interest in a trucking company even though there is no legal reason for him to abstain.

The Chairman opened the floor for public comment. Mr. Carl Schmitt supported the restriction of truck traffic through the Town of Stanardsville. Trucks are still using Route 230 when the alternate route of the bypass is a better option. The Town now has historic designation and is trying to revitalize the area. He thought Greene County had approved Route 230 as a scenic byway but the designation was not approved by Madison.

Board member Mickey Cox said the designation of Route 230 as a scenic bypass was discussed but never approved. Madison did refuse to make such a designation.

Mayor Bortner spoke on safety concerns with trucks and school buses passing each other on Route 230. Truck traffic using the intersection at Route 33 and Route 230 is also a problem.

There is an ongoing effort by STAR to revitalize Stanardsville. There is a 25 mph speed limit in the Town which is an enforcement issue. It is dangerous for students crossing Route 33 to the shopping center.

Mayor Bortner encouraged the Board to limit truck traffic through town to local traffic only.

Mr. Jerry Gore, speaking on behalf of the Taxpayers Association, endorsed the request by the Town Council to restrict truck traffic in the Town of Stanardsville.

As there were no further comments, the public hearing was closed.

Board member Patsy Morris said she could not support this request noting local drivers use these roads a lot.

Board member Jeri Allen questioned the enforceability of restricting truck traffic. The Sheriff has indicated he needs two additional deputies right now and this restriction could require even more manpower.

Mrs. Allen said, logically, trucks would not use Route 230 as a shortcut to Route 29 as the bypass is a much better road. Madison County would also need to request the restriction of truck traffic on Route 230.

The Board heard further discussion on the enforceability of restricting truck traffic.

Board member Mickey Cox said this restriction would impact local businesses, such as farming/dairy. He also questioned the enforceability of this restriction.

Vice Chairman Clarence Peyton clarified that the intention of the Town Council was to restrict truck traffic on Route 33 through the Town of Stanardsville. He felt this is a safety issue

and out of respect of the Town Council's request, the County should forward this request to VDOT for review.

Board member Mickey Cox noted truck traffic at the intersection of Route 29/Route 33 is also a safety concern.

The Chairman agreed that the Route 29/Route 33 intersection is a very dangerous area to add truck traffic to at this time. He suggested there are other measures that can be taken to control truck traffic such as lowering the speed limit or limit the use of "jake brakes".

Mr. Barry Clark, County Administrator, said he spoke with Mr. Allan Sumpter, VDOT Resident Administrator, who indicated VDOT will require a traffic study to make sure alternate routes are adequate prior to the restriction of truck traffic.

Mrs. Allen asked if Madison County has responded to this request. Mayor Bortner said VDOT suggested that the Stanardsville issue be dealt with before involving Madison County.

Motion by Clarence Peyton to support the request from the Town of Stanardsville to restrict through truck traffic in the Town. Motion died for lack of a second.

Mrs. Allen said she did not know enough about the implications and safety concerns involving truck traffic in the Town to vote intelligently. She also would like to find out what Madison County's view is.

Upon motion by Mickey Cox and unanimous vote, the Board tabled this item to allow for further research of the matter.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

RE: AMENDMENT TO ZONING PERMIT FEE SCHEDULE FOR BOUNDARY LINE
ADJUSTMENT/VACATING PROPERTY LINE

Mr. Svoboda explained that this fee was overlooked when the schedule was amended previously. At this time, the fee for boundary line adjustment/vacating property line and other minor changes such as easement plats, etc. would be \$500, which staff feels is excessive. The proposed fee is \$100 per application which would be retroactive to September 12. Currently there are three applications that would be affected by this amendment.

Mr. Ray Clarke, County Attorney, said making this amendment retroactive would not be a problem.

The Chairman noted fees are based on the amount of time expended by staff.

Upon motion by Jeri Allen and unanimous vote, the Board approved the amendment to the Zoning Permit Fee schedule for boundary line adjustment, vacating property lines, and other minor changes retroactive to September 12, 2006.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

RE: MATTERS FROM THE PUBLIC

There were no matters from the public.

RE: CONSENT AGENDA

Upon motion by Clarence Peyton and unanimous vote, the Board approved the minutes of the October 10, 2006 meeting as amended.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

Upon motion by Jeri Allen and unanimous vote, the Board approved the revised Substance Abuse Policy for the Greene County Transit, Inc.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

The Chairman noted this is the second reading of the request to accept and appropriate \$4,206.67 in grant funds, with a required local match of \$4,206.66, from the Office of Emergency Medical Services for the Sheriff's Department.

Mrs. Allen felt this is a wonderful program that will ultimately save lives.

Mrs. Morris said she would support this request but noted it will be the last time she would be willing to support any request for additional allocation of funds.

Mr. Cox said he would support this program and agreed with Mrs. Morris in not supporting additional allocation requests.

Mr. Peyton felt this additional allocation of funds is more than justified.

The Chairman supported the program as the first line of defense for EMS response.

Upon motion by Jeri Allen and unanimous vote, the Board approved the resolution to accept and appropriate \$4,206.67 in grant funds, with a required local match of \$4,206.66, from the Office of Emergency Medical Services for the Sheriff's Department. (See Attachment "B")

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Mickey Cox	-	Yes
	Patsy Morris	-	Yes

Motion carried.

RE: OTHER MATTERS FROM THE BOARD

MEETING TIME

The Chairman said the public session at the November 14, 2006 meeting will begin at 5:30 p.m. Executive Session will be held at the end of the meeting.

TIME BASED ZONING

It was the consensus of the Board to have another workshop meeting on time based zoning at the December meeting as an agenda item. If not, a separate workshop meeting will be scheduled.

VACO CONFERENCE

Mr. Barry Clark said the annual VACO conference is being held November 12 thru November 14. Each County is allotted three rooms at The Homestead, Hot Springs, VA.

It was the consensus of the Board to send Mr. Cox and Mr. Clark to this conference.

FOOD BANK

Mrs. Allen referred to a letter received in regards to space needs for the Food Bank.

Mr. James Howard, Director of Social Services, said the Woman's Club has done a wonderful job with the Food Bank. The Club collects food and Social Services handles the distribution.

A meeting was held, with representatives of the Woman's Club and Social Services present. It was the consensus, at that time, to install shelving in the room to make better use of the space. After shelving is in place, the need for additional space would be re-evaluated.

Mr. Howard said Social Services could not turn the room over to the Food Bank as financial records, personnel files, supplies, etc. are stored there.

The Board discussed other options to provide additional space for the Food Bank. It was the consensus of the Board to direct staff to investigate possible solutions to the space need problem.

LIGHTING ORDINANCE

The Board discussed a letter received from a resident, who lives near Sheetz, in regards to lighting and the need for an ordinance.

The Chairman said the Board is very aware of this need and staff is working on it. He noted proffers usually include lighting.

The Chairman also noted staff is following up on complaints from residents on Sassafras Lane and hopes a mutually agreeable compromise can be reached.

RE: COUNTY ADMINISTRATOR'S REPORT

Mr. Barry Clark, County Administrator, gave the following report.

Court House Renovation Project

- Bids due November 9.

Extension Agent

- No update

Maintenance of Buildings/Grounds

- D & D Lawn Care – completed first mowing – very pleased with results

Zip code for Barboursville

- Continue to wait for response from Postal Service.

Staff Meetings

- Next staff meeting – Thursday, October 26, 2006 at 9:00 a.m.

Mayors and Chairs Meeting

- Next meeting scheduled for October 30.

Christmas Luncheon

- Tentative date – December 14 at noon – Stanardsville Volunteer Fire

Piedmont Housing Alliance

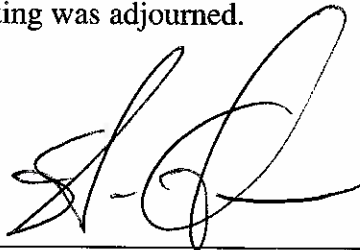
- Met with representative to discuss programs offered

Board Packet Information

- Information is now available on the County's web site

RE: ADJOURN MEETING

As there was no further business, the meeting was adjourned.



Steve Catalano, Chairman
Greene County Board of Supervisors

GREENE COUNTY VIRGINIA
ECONOMIC DEVELOPMENT AUTHORITY

October 20, 2006

Memo

TO: Greene County Planning Commission
From: Greene County Economic Development Authority

Re: Rezoning Application RZ #06-007; The Bonning Group ,LLC/Greene County Economic Development Authority/Milton Oliver regarding a request for a rezoning from A-1 Agriculture, to B-3, Business and M-2, Industrial. On a 12.878 acre tract and a 57.05 acre tract located on Spotswood Trail and identified on County Tax Maps as 50-(32)-1&2

The Bonning Group, LLC and the GCEDA hereby voluntarily proffer the conditions listed below which shall be applied to the property, if rezoned:

1. All lighting proposed shall be lighting appropriate for a rural area and the lighting fixtures installed shall be non-reflective, shielded, and non evasive adhering to LID (Low Impact Development) principals in order to minimize impact on adjoining residential property and to reduce light reflection in the US 33 Corridor.
2. All aerial span utilities shall be buried under ground.
3. The Bonning Group, LLC will agree to provide one permanent seat for the GCEDA or its designate on the proposed ARB for Enterprise Pointe.
4. The seven lots (7) being considered for B-3 area zoning the Bonning Group will be proffering out the following items: telecommunication antennas and towers, truck stops, bus and taxis terminals, and fuel distribution centers.
5. The twelve lots being considered for M-2 Zoning, the Bonning Group, LLC will agree to work with the GCEDA, TJPED, and the Virginia Economic Development Partnership to market Enterprise Pointe to the following but not limited to targeted industries, possibly building on a cluster based initiative: Information Technology, Homeland Security, Bio-Science/ Research; Distribution Centers; Corporate offices or corporate headquarters, and high value added manufacturing.
6. Additionally the Bonning Group, LLC will agree to proffer out the following by right uses: Coal and wood yards; wood preserving operations; meat, poultry, and fish processing; fireworks, mulch production facilities, electrical power transmissions lines and substations, micro-wave and radio wave transmission and relay towers and substations.



Dennis Jarvis, II
Director



Mike Harding; Bonning Group



Milton Oliver, Property Owner

Center Your Business, Your Career, Your Life in Greene
96 Main Street Suite B, PO Box 852, Stanardsville, VA 22973
Phone number 434-985-6663 | Fax number 434-985-3414
Email: greenevaeda@greeneva.com | greeneva.com

7. All natural preservation areas and or buffers will be landscaped or any disturbance to these areas will returned to its natural state as approved by Green County or its designate.

8. Access roads will conform to VDOT standards and will be dedicated to public use; additionally the Bonning Group, LLC will work with County staff to explore the viability of potential interconnectivity road systems with existing access with adjoining parcels.

**RESOLUTION TO ACCEPT AND APPROPRIATE
EIGHT THOUSAND FOUR HUNDRED THIRTEEN DOLLARS AND
THIRTY THREE CENTS TO THE SHERIFF'S DEPARTMENT**

WHEREAS, the Sheriff's Department for the County of Greene has received funding from the Office of Emergency Medical Services to provide emergency services instructions to citizens; and

WHEREAS, the funds in the amount of eight thousand four hundred thirteen dollars and thirty three cents (\$8,413.33) need to be appropriated to the appropriate line item in the 2006-2007 budget of the County of Greene, Virginia.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that eight thousand four hundred thirteen dollars and thirty three cents (\$8,413.33) be appropriated to the 2006-2007 budget of the County of Greene.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to do all things necessary to give this resolution effect.

Adopted this 24th day of October, 2006.