

February 26, 2008

County of Greene, Virginia

THE CONTINUED MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, FEBRUARY 26, 2008 AT 5:30 P.M. IN THE COUNTY MEETING ROOM.

Present were: Steve Catalano, Chairman
Clarence Peyton, Vice Chairman
Carl Schmitt, Member
Mike Skeens, Member
Ray Clarke, County Attorney
Barry Clark, County Administrator
Patti Vogt, Deputy Clerk
Tracy Morris, Finance Director

Absent: Jeri Allen, Member

RE: EXECUTIVE SESSION

Upon motion by Clarence Peyton and affirmative 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
- Courthouse

Land Acquisition:

- Water and sewer
- Potential property purchase

Personnel:

- Economic Development Authority

Various Appointments:

- Economic Development Authority
- JABA Advisory Council
- Planning Commission
- Rivanna River Basin Commission
- Skyline CAP

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Absent
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

Upon motion by Carl Schmitt and affirmative vote, the Board returned to Open Session.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Absent
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

By affirmative 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	-	Absent
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: APPOINTMENTS TO PLANNING COMMISSION

Upon motion by Clarence Peyton and affirmative vote, the Board appointed Anthony Herring, Jim Frydl, Norman Slezak to the Planning Commission.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Absent
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: APPOINTMENT TO RIVANNA RIVER BASIN COMMISSION

Upon motion by Carl Schmitt and affirmative vote, the Board appointed Ms. Roberta Savage to the Rivanna River Basin Commission.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Absent
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: APPOINTMENT TO ECONOMIC DEVELOPMENT AUTHORITY

Upon motion by Carl Schmitt and affirmative vote, the Board appointed Ms. Jane Capone and Ms. Marianne Shepard to the Economic Development Authority.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Absent
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: AWARD CONTRACT – ENGINEERING SERVICES – RECREATION PARK ROAD

Upon motion by Mike Skeens and affirmative vote, the Board awarded the contract for engineering services for the Recreation Park Road to WW Associates, Inc.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Absent
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: APPOINTMENT TO SKYLINE CAP BOARD

Upon motion by Mike Skeens and affirmative vote, the Board appointed Mrs. Joanne Burkholder to the Skyline CAP Board.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Absent
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: PUBLIC HEARING TO APPLICATION FROM THE MARKET PLACE OF VIRGINIA, LC TO AMEND PROFFERS APPROVED ON OCTOBER 30, 2001 FOR 3.966 ACRES LOCATED IN RUCKERSVILLE ON ROUTE 29 ZONED B 3

Mr. Bart Svoboda, Zoning Administrator, reviewed the request from The Market Place of Virginia, LLC to amend proffers approved on October 30, 2001 for 3.966 acres, zoned B-3, located in Ruckersville on Route 29 and identified on County Tax Maps as 60-A-52A. The Future Land Use Map and recommendations of the current Comprehensive Plan support the proposed rezoning amendment. The original zoning approval was limited to model homes and sales center.

The applicant requests that the uses defined in section 10-1-1 (by-right) and 10-1-2 (special use permit) of the Greene County Zoning Ordinance be permitted by right and with special use permit, except for highway retail service centers, truck stops and bus, truck and taxi terminals.

The Planning Commission recommended approval of this application with the acceptance of proffers dated December 27, 2007.

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

Board member Carl Schmitt questioned the proposed use of the property. The applicant responded that it was premature to begin marketing prior to approval of the proffer amendment but felt the likely use would be professional offices.

Mr. Schmitt expressed concern that vehicle repair garages were not proffered out. The applicant cited the Martha Jefferson Greene Family Medicine building project as an example of their civic consciousness.

After further discussion regarding proffers, the County Attorney cautioned Mr. Schmitt not to seek changes to proffers when considering action on zoning changes.

Upon motion by Clarence Peyton and affirmative vote, the Board approved the application from The Market Place of Virginia, LC to amend proffers approved on October 30, 2001 for 3.966 acres, zoned B-3, located in Ruckersville on Route 29 and identified on County Tax Maps as 60-A-52A with acceptance of submitted proffers dated December 27, 2007.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Absent
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: RECREATION PARK

Mrs. Joanne Burkholder, Chairperson of the Parks and Recreation Committee, was present to give an update on activities. Mr. Julius Bates, Recreation Director, and Mr. John Humphries, part-time Administrative Assistant, were present. Also present were Committee members Andrea Wilkinson and Bob Burkholder.

Mrs. Burkholder expressed the Committee's concern regarding the harvesting of timber at the Park and the resulting debris. She noted the County Administrator said the County is in the process of correcting this mistake and her understanding is the proceeds from the sale of the timber will be allocated for use at the Park.

Mrs. Burkholder reviewed various programs offered by the Recreation Department and noted both the Mother/Son and Father/Daughter dances were successes.

The Greene County Recreation Department staff hours total 3,120. The per capita expenditure is \$4.50 which is lower than surrounding localities.

Mrs. Burkholder suggested the Board consider a partnership with the Greene County Ruritans, who built the picnic shelter at the Park, to construct a comfort station. The Ruritans have raised \$9,600 towards this project and have applied for a \$10,000 grant. A soil specialist, excavator and possibly a well driller have indicated they would be willing to donate their time for this project.

Mrs. Burkholder noted a meeting was held with representatives from VA Tech regarding the master plan last week and the proposed location for the comfort station seems to be appropriate. If this is the case, does the project have to be advertised for proposals? The Chairman said the County Administrator would discuss this with the Committee.

In response to a question by the Chairman, Mrs. Burkholder said there are vacancies on the Committee that need to be filled.

RE: TEACHER AND TEACHING ASSISTANT SALARIES

Mr. Tom Evans, Ms. Erica Saunders, and Ms. Jennifer Lamb, representatives of the Greene County Education Association, were present to discuss teacher and teaching assistant salaries. Information was distributed to the Board members for review.

Mr. Evans did not feel the proposed 4% salary increase for teachers will be sufficient. He noted Greene County is in last place for the amount paid for health insurance for teachers.

Ms. Saunders and Ms. Lamb asked the Board to consider the requested 8% salary increase for teaching assistants. The proposal also includes a decrease in the number of days teaching assistants are required to work.

There was further discussion on the number of teaching assistants and teachers in the system and how the salary figures were calculated.

The Chairman noted the Board is just beginning the budget process and thanked Mr. Evans, Ms. Saunders, and Ms. Lamb for their presentation.

RE: MATTERS FROM THE PUBLIC

IMPACT FEES

Mr. Norman Schwartz spoke on the legislation being considered regarding impact fees. The Chairman said the Board feels impact fees are a good idea but is opposed to the proposed cap of \$7,500. Impact fees can only work for localities if they reflect the adopted CIP of that locality. The Chairman noted impact fees have huge implications.

Mr. Schmitt said the proposal is not a done deal. There has been a large outcry from jurisdictions and time is needed to review the proposal.

Mrs. Andrea Wilkinson said she contacted Delegate Rob Bell in regards to impact fees.

Mr. Schmitt said Senator Emmett Hanger opposed the proposed legislation.

Mr. Neil Williamson also spoke on the proposed impact fees.

RECREATION DEPARTMENT

Mrs. Wilkinson spoke briefly on the number of man hours utilized by the Recreation Department and the need for additional personnel.

PUBLIC SAFETY AND WELFARE

Mr. Mitch Miller spoke on the issue of public safety and welfare in regards to forest fires. He noted a report in the Federal Register in May, 2001 designated certain areas in Greene County as potential problem areas. It is the duty and responsibility of the Board and County to bring to the attention of the citizens, any programs or available funding for fire prevention measures.

Mr. Doug Dye also spoke on the recent forest fires in Virginia which consumed approximately 16,000 acres in a three day period. Only 11,000 acres were burned in all of calendar year 2007. He agreed that programs are available from the federal and state governments.

Mr. Dye said he has had dry hydrants, which cost approximately \$1,500 each and are intended for use by emergency services personnel, installed on his property at Entry Run Estates. He noted there is now a total of four dry hydrants in Greene County.

It was the consensus of the Board to have the Public Safety Director review any grants or educational programs for voluntary initiatives available through the VA Department of Forestry,

the Federal Park Service, and the VA Department of Fire Programs. This will be an agenda item for the March 25 meeting.

RE: CONSENT AGENDA

Upon motion by Carl Schmitt and affirmative vote, the Board approved the following items on the consent agenda:

- a. Minutes of January 22, 2008 and February 12, 2008 meetings.
- b. Resolution to accept and appropriate \$2,335 in donations for the Sheriff's Department. (See Attachment "A")
- c. Resolution to accept and appropriate \$1,480 in miscellaneous Sheriff's Fees. (See Attachment "B")
- d. Resolution to accept and appropriate \$2,680.39 in insurance recovery funds. (See Attachment "C")
- e. Resolution to accept and appropriate \$40,000 of Department of Criminal Justice Services grant funds for the Commonwealth Attorney's Office. (See Attachment "D")
- f. Resolution opposing Senate Bill 768 regarding the elimination of cash proffers. (See Attachment "E")

RE: OTHER MATTERS FROM THE BOARD

Mr. Schmitt said the County has been notified that VDOT has approved a multi-modal transportation grant in the amount of \$150,000 for study of the Route 29/Ruckersville area. This will be helpful in conjunction with the Comprehensive Plan review.

RE: RECESS

The Chairman called a short recess.

RE: WORKSHOP MEETING WITH VDOT REPRESENTATIVES

Mr. Joel Denunzio, Residency Program Manager, and Mr. John Winn, Contract Administrator, were present to discuss the proposed Six Year Plan for Secondary Road Improvements. Copies of the VDOT Board of Supervisors Manual were distributed. It is the County's role to develop a list of priority projects and hold a public hearing to accept those

priorities. It is VDOT's role to apply the funding to the priorities in the order that has been adopted by the County.

Funding for FY2009 – FY2014 are estimated projections. Funds are allocated to projects based on previous deficits in the budget, County-wide incidentals and construction budgets. Priorities include Bacon Hollow Road, Mutton Hollow Road, Matthew Mills Road, Ice House Road (Rural Rustic Road), Celt Road / Rte. 33, and Beasley Road (Bridge Replacement)

Possible Rural Rustic Road projects include:

- Rte. 630 Rosebrook Road, from rte. 810 to rte. 631
- Rte. 603 Bingham Mountain Road, from rte. 633 to rte. 612
- Rte. 621 South River Road, from rte. 673 to dead end
- Rte. 667 Middle River Road, from end of hard surface to county line
- Rte. 637 Octonia Road, from end of hard surface to rte. 230

The Beasley Road bridge replacement project is identified on the Culpeper District Priority List. Funding will not be available until after 2013.

Bacon Hollow Road is scheduled to go to advertisement in the next two months. Mutton Hollow Road is fully funded. Matthew Mill Road should be considered for the revenue sharing program which is a dollar for dollar match.

As the signal has been installed at Celt Road, this project should be removed from Plan.

If the traffic count requirement is raised, then Octonia Road may be considered for designation as a Rural Rustic Road Project. Rural Rustic Road guidelines requires the Board to adopt a resolution and that development be limited on the road for the next 10 years.

It was the consensus of the Board to hold the public hearing on the proposed Six Year Plan on Tuesday, March 25 at 7:30 p.m.

There was further discussion on Matthew Mill Road. Mr. Schmitt said the project as designated on the Plan does not include the area around Sheetz and the intersection. The Chairman noted the project included spot improvements to the Orange County line. Mr. Denunzio said the entire project needs to be re-scoped.

In response to a question by Mr. Schmitt regarding the turn lane on Route 33 east of the Route 29 intersection, Mr. Denunzio said Route 33 is a primary road and this would not be included in the Six Year Plan.

Mr. Peyton asked about the left turn lane on Route 29 north onto Route 33 west. Mr. Denunzio said that would be a safety project and an extension of the turn lane is being considered.

After discussion, it was the consensus of the Board to prioritize the Rural Rustic Road Projects by traffic count, but look for opportunities to proceed with projects if available annual funding matches a project's cost.

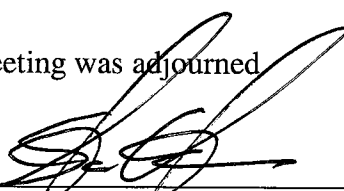
The Chairman thanked Mr. Denunzio and Mr. Winn for attending the meeting.

RE: PUBLIC HEARING – BUDGET

It was the consensus of the Board to hold the public hearing on the FY 2009 County budget on April 29 at William Monroe High School.

RE: ADJOURN MEETING

As there was no further business, the meeting was adjourned



Steve Catalano, Chairman
Greene County Board of Supervisors

**RESOLUTION TO ACCEPT AND APPROPRIATE
TWO THOUSAND THREE HUNDRED THIRTY-FIVE DOLLARS
FOR SHERIFF EXPENSES**

WHEREAS, the Sheriff's Department for the County of Greene has received funding from donations for expenses; and

WHEREAS, the funds in the amount of two thousand three hundred thirty-five dollars (\$2,335.00) need to be appropriated to the appropriate line item in the 2007-2008 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 two thousand three hundred thirty-five dollars (\$2,335.00) be appropriated to the 2007-2008 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 26th day of February, 2008.



Chairman



Barry Clark, Clerk

**RESOLUTION TO ACCEPT AND APPROPRIATE
ONE THOUSAND FOUR HUNDRED EIGHTY DOLLARS FOR
SHERIFF FEES**

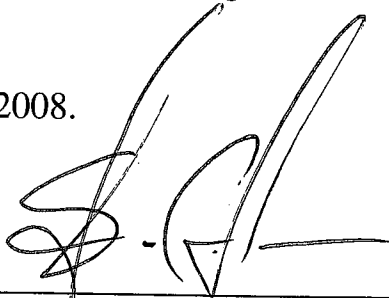
WHEREAS, the Sheriff's Department for the County of Greene has collected fees; and

WHEREAS, the funds in the amount of one thousand four hundred eighty dollars (\$1,480.00) need to be appropriated to the appropriate line item in the 2007-2008 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 one thousand four hundred eighty dollars (\$1,480.00) be appropriated to the 2007-2008 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 26th day of February, 2008.



Chairman



Barry Clark, Clerk

**RESOLUTION TO APPROPRIATE
TWO THOUSAND SIX HUNDRED EIGHTY DOLLARS AND
THIRTY-NINE CENTS FOR INSURANCE RECOVERIES**

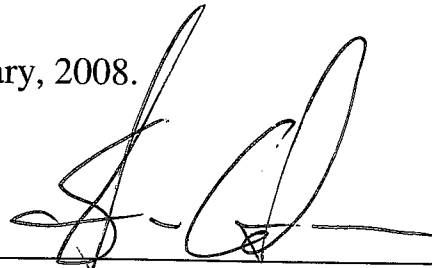
WHEREAS, the Sheriff's Department has received funding for insurance recoveries; and

WHEREAS, the funds in the amount of two thousand six hundred eighty dollars and thirty-nine cents (\$2,680.39) need to be appropriated to the appropriate line item in the 2007-2008 budget of the County of Greene, Virginia.

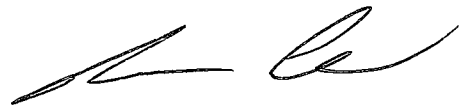
NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that two thousand six hundred eighty dollars and thirty-nine cents (\$2,680.39) be appropriated to the 2007-2008 budget of the County of Greene.

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 26th day of February, 2008.



Steve Catalano, Chairman



Barry Clark, Clerk

**RESOLUTION TO ACCEPT AND APPROPRIATE FORTY
THOUSAND DOLLARS FOR THE VIRGINIA DOMESTIC
VIOLENCE VICTIM FUND GRANT**

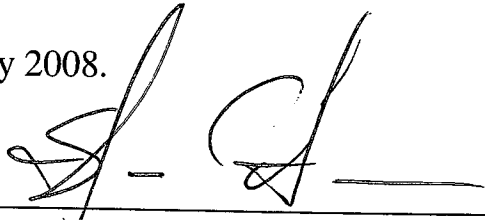
WHEREAS, the County of Greene has been awarded a grant from DCJS for a Virginia Domestic Violence Victim Fund; and

WHEREAS, the funds in the amount of forty thousand dollars (\$40,000) will need to be appropriated to the appropriate line item in the 2007-2008 budget of the County of Greene, Virginia.

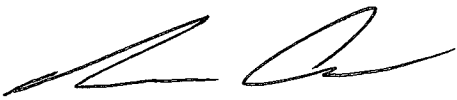
NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that forty thousand dollars (\$40,000) be appropriated to the 2007-2008 budget of the County of Greene.

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 26th day of February 2008.



Steve Catalano, Chairman



Barry Clark, Clerk

RESOLUTION IN OPPOSITION TO SB 768

WHEREAS, SB 768 being considered by the 2008 General Assembly, proposes to eliminate the authority of localities to accept cash proffers on rezonings, while setting up a state-directed, capped and cumbersome and complex impact fee system; and

WHEREAS, the bill also limits the authority to negotiate off-site, non-cash proffers for residential developments; and

WHEREAS, this legislation would reverse 30 years of authorized cash proffer policy, as well as undo action taken by the General Assembly the past two years to expand cash proffer authority to include more eligible localities and allow more flexibility in the program; and

WHEREAS, no calculation has been done on the cost to localities to establish, manage and maintain this cumbersome system; and

WHEREAS, localities would be hard pressed in the coming months to research, implement and begin collecting impact fees by next year, as the likes of defining an impact fee area, prioritizing projects and adopting the necessary ordinances are public processes that take time; and

WHEREAS, in September, 2006, the Greene County Board of Supervisors adopted a cash proffer policy based on extensive analysis and subsequent recommendations and calculations by Robinson, Farmer and Cox Associates; and

WHEREAS, the adopted policy sets a target proffer amount per housing unit at \$5,771, to be used for facility projects identified in CIP, including schools, public safety, health and welfare, and parks and recreation; and

WHEREAS, while it is possible that a balanced, workable impact fee system that can be put in place and proven may be better than proffers, the existing proffer system must not be replaced beforehand; and

WHEREAS, SB 768 was introduced at the 11th hour, without the benefit of prior review and analysis by localities; and

WHEREAS, any legislation of this magnitude should be developed through extensive discussions with local governments to carefully craft a workable and legitimate program; now, therefore, be it

RESOLVED, that the Greene County Board of Supervisors urges the 2008 General Assembly to defeat SB 768 or carry the bill over for further discussion during the coming year.

Adopted in Open Meeting this 26th day of February, 2008.



Steve Catalano, Chairman
Greene County Board of Supervisors