

September 9, 2008

County of Greene, Virginia

THE CONTINUED MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, SEPTEMBER 9, 2008 AT 5:30 P.M. IN THE COUNTY MEETING ROOM.

Present were: Steve Catalano, Chairman
Clarence Peyton, Vice Chairman
Jeri Allen, Member
Carl Schmitt, Member
Mike Skeens, 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
- Building Maintenance
- Solid Waste

Land Acquisition:

- Water and Sewer

Legal:

- None

Personnel:

- Administration

Various Appointments:

- Planning Commission

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

Motion carried.

RE: APPOINTMENT TO PLANNING COMMISSION

Upon motion by Carl Schmitt and unanimous vote, the Board appointed Mr. Bill Martin to the Planning Commission to fill the unexpired term of Ms. Phyllis Woodfolk.

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

Motion carried.

RE: OPEN MEETING

The Chairman opened the meeting with the Pledge of Allegiance followed by a moment of silence.

RE: ACTION ON REZONE - W. COPLEY MCLEAN /SJS LIMITED COMPANY

Mr. Bart Svoboda, Zoning Administrator, said VDOT comments have been addressed and information was included in the informational packet. The developer met with residents of Enderly Acres again. Staff is comfortable with submitted proffers.

The Chairman noted the public hearing was held previously.

Mr. Schmitt said the process has been a good one and a number of actions were taken that not only benefit the local residents but also the County and the developer. He reviewed the changes to proffers which included:

- applicant has agreed to restrict hotel to interior room access on either side of parallel road
- sales and services of equipment on east side of parallel road – repair testing restricted to interior of building
- a clear dedication of extra lanes on Route 29 and Route 607
- language regarding cash proffer that has been offered for work at intersection – have an opportunity to use money from applicant to use as match for federal funds

Mrs. Allen said she respects and appreciates the efforts made on the part of the developer to be responsive to the concerns of citizens in Enderly Acres.

Mr. Skeens said he visited the site and felt the uses restricted by the proffers are appropriate.

Mr. Peyton said the business zone classification needs work. He expressed appreciation to the developer for negotiations with residents of the area.

The Chairman said the Comprehensive Plan designates this area as business and felt the rezone is the highest and best use for the property.

Upon motion by Jeri Allen and unanimous vote, the Board approved the request from W. Copley McLean Trustee of the W. Copley McLean Rev. Dec. of Trust/SJS Limited Company to rezone from R-1, Residential, to B-3, Business, approximately 16.16 acres located on Seminole Trail/Cedar Grove Road and identified on County Tax Maps as 66C-(2)-A & B with proffers as submitted. (RZ#08-001)

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

Motion carried.

RE: MASTER PLAN FOR COMMUNITY PARK – BYLAWS FOR PARKS AND RECREATION COMMITTEE

Mr. Bart Svoboda, Zoning Administrator, briefly reviewed the proposed master plan for the Community Park. The plan is a tool for future improvements at the Park and will aid in grant applications. Mr. Julius Bates, Recreation Director, was also present.

The Chairman opened the floor for public comment. Mr. Bob Burkholder, member of the Parks and Recreation Committee, briefly reviewed the background of the park to date. He noted the County has spent very little on the Park and said the proposed plan is great.

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

The Board discussed the policy for grant applications. Departments are required to receive approval from the Board prior to applying for grants.

Upon motion by Carl Schmitt and unanimous vote, the Board approved the Master Plan for the Greene County Community Park as proposed.

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

Motion carried.

Mrs. Allen asked the status of the Park road project. The County Administrator said the project will proceed after final forms are signed.

The Board briefly discussed the proposed amendments to the Bylaws for the Parks and Recreation Committee.

Upon motion by Jeri Allen and unanimous vote, the Board approved the amendments to the bylaws for the Parks and Recreation Committee as submitted.

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

Motion carried.

RE: PUBLIC HEARING – CAPITAL IMPROVEMENT PLAN

Mr. Svoboda reviewed the proposed changes to the Capital Improvement Plan. Projects added included:

- repairs at, and expansion, of the Dental Clinic

- pump stations and well projects

It was noted the Clerk's Office may have State funding available for the imaging and scanning of recorded documents.

In response to a question by Mr. Schmitt, Mr. Svoboda said the plan is updated annually and therefore does not reflect an inflation rate.

The Beasley Road project under Transportation was also questioned. Mr. Svoboda will review for accuracy.

Upon motion by Jeri Allen and unanimous vote, the Board approved the Capital Improvement Plan with noted corrections (Clerk's Office and Beasley Road) as necessary.

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

Motion carried.

RE: MATTERS FROM THE PUBLIC

VOTING

Mr. Lee Estes asked if there is an option to vote by paper ballot or by machine. The County Administrator was asked to check with the Registrar regarding voting methods.

RECREATION PARK

Mrs. Wilkinson said the Ruritans has received an award to design the comfort station at the Recreation Park.

UNFUNDED MANDATES

Mrs. Andrea Wilkinson said the Ruckersville Citizen Committee is working on a letter regarding unfunded mandates. She also noted the provision that allows the Board of Supervisors to petition for relief for one year for certain unfunded mandates, not including education. Mrs. Wilkinson suggested Congressman Virgil Goode be notified of the meeting on September 23.

COUNTY-WIDE LEASH LAW

Mr. Billy McMullen requested the Board consider a county-wide leash law. He felt people should take responsibility for their animals and noted Orange County has a leash law for the entire county which Board members received a copy of for review.

RE: CONSENT AGENDA

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

- a. Minutes of August 26, 2008 meeting.
- b. Resolution to declare October, 2008 as Domestic Violence Awareness Month. (See Attachment "A")
- c. Resolution to request Governor to have Greene County designated a drought disaster area. (See Attachment "B")

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

Motion carried.

RE: OTHER MATTERS FROM THE BOARD

ANIMAL CONTROL

The Chairman said he spoke with the Animal Control Officers about a county-wide ordinance. It seems the biggest problem may be the capacity needed at the pound to house the dogs that would be abandoned because of the new regulations.

The Board instructed staff to conduct a comprehensive study on the impact of a county-wide leash law including a dollar estimate on necessary renovations/expansion etc. to the dog pound. The County Attorney will review the Orange County ordinance. Staff will report back to the Board in sixty days.

Mrs. Allen asked if there could be some middle ground for dogs that become threatening or a nuisance in order to deal with that situation rather than adopt a county-wide ordinance.

Mr. Ray Clarke, County Attorney, noted there are many statutes in place to deal with dangerous dogs.

STAR PROJECT

Mrs. Allen said the Thomas Jefferson Planning District Commission has signed the contract with STAR to act as fiscal agent.

LEGISLATIVE PROGRAM

Mrs. Allen said the draft legislative program should be distributed to Board members for review shortly.

ENERGY SAVINGS

Mr. Schmitt said Ms. Sara Temple of Albemarle County is willing to give a presentation on energy reduction measures. The Board discussed the dates for the November meeting. The

regular date falls on Veteran's Day and the meeting will have to be rescheduled. The Chairman said he wanted to wait until October to reschedule the November meeting.

SCHOOL BOARD RETREAT

Mr. Schmitt said the School Board retreat is scheduled for Saturday, September 20 at Rosebrook Inn.

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Contract Matters:

- Solid Waste

Personnel:

- Administration

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

Motion carried.

RE: AWARD CONTRACT – ADDITIONAL APPROPRIATION

Upon motion by Mike Skeens and unanimous vote, the Board authorized the additional appropriation of \$3,500 and awarded the contract for the Storm Water Pollution Prevention Plan at the Solid Waste Facility to Joyce Engineering.

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

Motion carried.

RE: CONTINUED MEETING

The meeting was continued to Tuesday, September 23, 2008 at 5:30 p.m. in the County Meeting Room.



Steve Catalano, Chairman
Greene County Board of Supervisors



PROCLAMATION

WHEREAS, violence against women, children, and men continues to become more prevalent as a social problem in our society; and

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial and societal barriers, and are supported by societal indifference; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse, with the impact of this crime being wide-ranging; and

WHEREAS, in our quest to impose sanctions on those who break the law by perpetrating violence, we must also meet the needs of victims of domestic violence who often suffer grave physical, psychological and financial losses; and

WHEREAS, it is victims of domestic violence themselves who have been in the forefront of efforts to bring peace and equality to the home; and


WHEREAS, no one person, organization, agency or community can eliminate domestic violence on their own—we must work together to educate our entire population about what can be done to prevent such violence, support victims/survivors and their families, and increase support for agencies providing services to those community members; and

WHEREAS, the Shelter for Help in Emergency has led the way in the County of Greene in addressing domestic violence by providing 24-hour hotline services to victims/survivors and their families, offering support and information, and empowering survivors to chart their own course for healing; and

WHEREAS, the Shelter for Help in Emergency commemorates its 29th year of providing unparalleled services to women, children and men who have been victimized by domestic violence;

NOW THEREFORE, BE IT RESOLVED, in recognition of the important work being done by the Shelter for Help in Emergency, that I, Steve Catalano, Chairman of the Greene County Board of Supervisors, do hereby proclaim the month of October 2008 as DOMESTIC VIOLENCE AWARENESS MONTH, and urge all citizens to actively participate in the scheduled activities and programs sponsored by the Shelter for Help in Emergency, and to work toward the elimination of personal and institutional violence against women, children and men.

Adopted in Open Meeting this 9th day of September, 2008.



Steve Catalano, Chairman
Greene County Board of Supervisors

**RESOLUTION REQUESTING GOVERNOR TIM KAINÉ TO HAVE
GREENE COUNTY DESIGNATED A DROUGHT DISASTER AREA**

WHEREAS, the industry of agriculture contributes significant funds to the economy of Greene County; and

WHEREAS, agricultural and forestal lands are recognized as natural resources which should be conserved and protected; and

WHEREAS, the continuing lack of significant rainfall and extremely high temperatures experienced this summer have drastically affected row crops such as corn and soybeans thereby reducing grain yields by as much as 50 percent; and

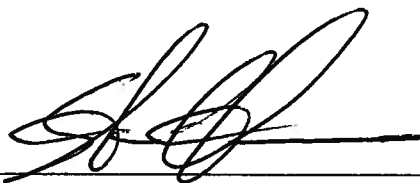
WHEREAS, the precipitation measurements do not accurately portray the extreme rainfall deficit in the major agricultural sections of the county; and

WHEREAS, the drought has caused extreme losses to both pasture grasses and the county's hay crop, and the majority of beef cattle farms are already feeding hay that was intended for winter storage; and

WHEREAS, these combined losses will inflict heavy financial losses on the agricultural community and Greene's farm families;

NOW, THEREFORE BE IT RESOLVED by the Greene County Board of Supervisors that adoption of this resolution declares a State of Emergency and requests that Governor Tim Kaine have Greene County designated a drought disaster area.

Adopted in Open Meeting this 9th day of September, 2008.



Steve Catalano, Chairman
Greene County Board of Supervisors