

April 14, 2009

County of Greene, Virginia

THE REGULAR MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, APRIL 14, 2009 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:**

- Ambulance Services
- Water and Sewer
- Energy Efficiency Contract

**Land Acquisition:**

- Water and Sewer

**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: OPEN MEETING

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

RE: EMPLOYEE SERVICE AWARDS

The Chairman presented the following employee service awards.

Doris Hyatt	-	15 years
Kay Epling	-	10 years
Jimmy Shifflett	-	5 years
Sherwood Breeden	-	5 years

RE: VDOT QUARTERLY MEETING

Mr. Allen Sumpter, Resident Administrator, Mr. Joel Denunzio, Staff Engineer, and Mr. John Winn, Contract Administrator, were present.

Mr. Sumpter reported the following:

- Route 642 – Dogwood Valley – Maintenance rehabilitation work is planned for the bridge crossing South River
- Route 634 – Mutton Hollow Road – Environmental permit work is underway. Right of way has been acquired and certification is underway.
- Route 607 – Matthew Mill Road – Pre-scoping completed. Next step will include formal scoping. On schedule to begin preliminary engineering work.
- Route 662 – Recreational Access Road – Construction is complete. Reviewing request by County staff to gate road.
- Route 627 – Bacon Hollow Road – Work continues on box culvert installation, grading slopes and pipe installation. Completion is expected in early summer.

Mr. Sumpter reviewed maintenance work that has been completed or is planned and traffic engineering on projects.

- Route 810 – recommends reduction to 35 mph; under review local and state law enforcement.
- Route 607 & 670 – speed reduction to 35 mph on a section of Route 670 being recommended.
- Route 29 – recommends extending 45 mph zone to Luck Stone entrance – under review of State Police
- Route 230 and Route 33 Business – Signal warrant analysis underway
- Route 33 Business – Reviewing 25 and 35 mph speed zones.

The Chairman opened the floor for public comment. Citizens who wanted to comment on the Six Year Plan were informed that the workshop session would be held at the end of this meeting

Mrs. Allen expressed her appreciation for the work that has been done on the Park Road.

In response to questions by Mr. Schmitt, Mr. Sumpter said stimulus money received for this area would be used for pavement rehabilitation with emphasis on certain bridges.

Mr. Skeens also thanked VDOT for the Park Road and mentioned the number of potholes on Route 810. Mr. Sumpter said they will take a look at that road.

The Chairman asked if there are any preliminary reports on service modifications that can be expected. Mr. Sumpter said VDOT will be changing levels of service during mowing season but will continue to pick up trash.

RE: PUBLIC HEARNG – COUNTY CODE – TRANSIENT OCCUPANCY TAX

Mr. Barry Clark, County Administrator, reviewed the proposed amendment to the County Code which will increase the transient occupancy tax from 2% to 5%. The State recently gave the County the authority to adjust the tax charged to transient travelers staying for a time period of less than 30 days at motels, hotels, and bed and breakfasts. The additional 3% must be used for tourism.

The Chairman opened the floor for public comment. Mr. Roy Dye, speaking on behalf of STAR, endorsed the proposal and agreed with promoting tourism. Mr. Chuck Sweeney, proprietor, said he was in favor of this tax but wanted to make sure the 3% goes strictly to tourism. The Chairman said, by law, the additional 3% will have to go to tourism.

Upon motion by Clarence Peyton and unanimous vote, the Board approved the amendment, as proposed, to the Greene County Code, Chapter 66 – Taxation – Article VI – Section 66.271. (See Attachment “A”)

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

Motion carried.

RE: MATTERS FROM PUBLIC

There were no comments from the public.

RE: CONSENT AGENDA

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

- a. Minutes of previous meeting.
- b. Resolution to authorize use of Courthouse Lawn by Stanardsville United Methodist Church on for Strawberry Festival May 30, 2009. (See Attachment "B")
- c. Resolution in support of April, 2009 as Fair Housing Month. (See Attachment "C")
- d. Resolution to carry-over \$306.90 in forfeited assets for Commonwealth's Attorney Office. (See Attachment "D")
- e. Resolution to accept and appropriate \$616.53 funds collected from the sale of animal friendly license plates and voluntary contributions from individual income tax refunds to be used to support the sterilization program at the Animal Shelter for FY 2009. (See Attachment "E")
- f. Resolution to accept and appropriate \$1,688 for Sheriff's miscellaneous fees. (See Attachment "F")
- g. Resolution to accept and appropriate \$3,805.24 for Sheriff's donations. (See Attachment "G")
- h. Authorization for Sheriff's Department to apply for Byrne JAG Program grant funding in the amount of \$18,264 for upgrade of in-car video equipment technology. No local funding is required.
- i. Resolution to accept Guildford Farm Road, Ridgeview Drive, and Creekside Court in Guildford Farm Subdivision into the State Secondary Road System. (See Attachment "H")

RE: OTHER MATTERS FROM THE BOARD

NUISANCE ORDINANCE

Mrs. Allen said she continues to receive calls about barking dogs, loud music, etc. The Sheriff can forward a list of calls to the County Administrator.

Mr. Barry Clark said the ordinance from Albemarle County, which gives authority to individuals to take someone to court, has been reviewed.

Mr. Ray Clarke said he had previously prepared a Nuisance Ordinance for review by the Board and noted that draft was not what the Board was looking for. A copy of the barking dog ordinance for Albemarle County can be provided to the Board for review.

ROUTE 29 STUDY

Mr. Schmitt said he, Mr. Clark, and Mr. Svoboda attended a workshop associated with the Route 29 Corridor Study from North Carolina to Gainesville. Looked at section they were interested in. Measures to try to put in place to try to improve Route 29. six lane 29 all the way, parallel roads at least at congestion points, restricted access, etc. Consensus was that a bypass is not the answer. Legislative suggestions – give VDOT more authority

BROADBAND

Mr. Schmitt said he also attended a meeting sponsored by Congressman Perriello regarding stimulus funding available for broadband and noted it was suggested localities work together as a region rather than individually. The first step is the planning necessary to define the “backbone” which is the capability of all operations including County, fire, rescue Sheriff, etc. May have a chance to get some funding. Broadband would use microwave communication rather than burying fiber optics.

### TELEPHONE SYSTEM

Mr. Peyton said he and the County Administrator met with representatives from Embarq and a savings of \$300 to \$500 per month on telephone charges will be realized from rearrangement of trunks.

### SCHOOL BOARD

Mr. Peyton said he attended the School Board Meeting and recapped issues with funding. The School Board is in agreement and was appreciative of efforts and teamwork on the budget this year.

### EMERGENCY SERVICES

The Chairman commented briefly on Emergency Services and noted the departments are responding to a lot of calls.

### PUBLIC HEARING ON BUDGET

The Chairman said the public hearing on budget will be held on Tuesday, April 28 at 7:30 in the Performing Arts Center at William Monroe High School.

### RE: RECESS

The Chairman called a five minute recess.

### RE: WORKSHOP – SIX YEAR PLAN FOR SECONDARY ROADS

Mr. Allan Sumpter, Mr. Joel Denunzio and Mr. John Winn were present. Mr. Sumpter briefly reviewed the projects proposed for inclusion on the Six Year Plan. The goal is to develop a realistic plan since funding has been reduced.

Simms Road is now eligible for consideration as a Rural Rustic Road Project. Mr. Sumpter suggested the Board include two priority roads as Rural Rustic Road Projects which

would be most beneficial to the community. Mr. Sumpter noted VDOT receives more calls from citizens regarding safety issues on Rosebrook Road.

The Board discussed the designation of Simms Road as the first priority project. Mrs. Allen felt the Board should choose a road that has a budget that can actually be achieved. Mr. Schmitt felt available funding should be spent and the County should do what can be done with money received. Mr. Sumpter noted projects could be completed in phases.

Mr. Schmitt noted there is obvious opposition to the inclusion of Middle River Road in the plan. He asked if it would be possible to improve the stream crossing that gets wiped out by high water possibly as a maintenance upgrade. Mr. Sumpter said they would review the area for possible improvements while noting maintenance funds have also been severely cut.

Mr. Skeens asked if Rosebrook Road could be considered as a Rural Rustic Road Project. Mr. Sumpter said Rosebrook Road could be evaluated for inclusion as a Rural Rustic Road Project.

After discussion, it was the consensus of the Board to designate Simms Road and Rosebrook Road as Rural Rustic Road Projects. The Board also agreed to remove Middle River Road from the proposed plan.

The Chairman noted a public hearing on the proposed plan is scheduled for May 12 and the public can comment at that time.

Board of Supervisors  
April 14, 2009  
Sheet 9

RE: CONTINUED MEETING

The meeting was continued to Tuesday, April 28, 2009, at 7:30 p.m. in the Performing Arts Center at William Monroe High School.

A handwritten signature in black ink, appearing to read 'S. Catalano', written over a horizontal line.

Steve Catalano, Chairman  
Greene County Board of Supervisors

Board of Supervisors  
April 14, 2009  
Attachment "A"

## GREENE COUNTY CODE

### ARTICLE VI. TRANSIENT OCCUPANCY TAX

#### **Sec. 66-271. Levy of tax; rate.**

In addition to all other taxes and fees of any kind now or hereafter imposed by law, a tax is hereby levied and imposed on hotels, motels, boardinghouses, travel campgrounds and other facilities offering guestrooms rented out for continuous occupancy for fewer than 30 consecutive days. The rate of this tax shall be ~~two (2)~~ *five (5)* percent of the amount of charge for the occupancy of any room or space occupied.

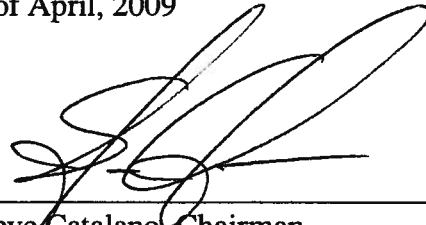
## RESOLUTION

WHEREAS, the Greene County Board of Supervisors recognizes the annual Strawberry Festival as an important cultural event in the County; and

WHEREAS, the Stanardsville United Methodist Church has requested the use of the Courthouse Lawn for entertainment and craft booths;

NOW THEREFORE BE IT RESOLVED that the Greene County Board of Supervisors supports the annual Strawberry Festival and does hereby authorize use of the Courthouse Lawn on May 30, 2009.

Adopted in open meeting this 14th day of April, 2009

A handwritten signature in black ink, appearing to read 'S. Catalano', written over a horizontal line.

Steve Catalano, Chairman  
Greene County Board of Supervisors

## **Fair Housing Month 2009 Resolution**

WHEREAS, April is Fair Housing Month and marks the 41<sup>st</sup> anniversary of the passage of the federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988);

WHEREAS, the Fair Housing Act provides that no person shall be subjected to discrimination because of race, color, national origin, religion, sex, disability, or familial status in the rental, sale, financing or advertising of housing (and the Virginia Fair Housing Law also prohibits housing discrimination based on elderliness);

WHEREAS, the Fair Housing Act supports equal housing opportunity throughout the United States;

WHEREAS, fair housing creates healthy communities, and housing discrimination harms us all;

WHEREAS, Greene County supports equal housing opportunity and seeks to affirmatively further fair housing not only during Fair Housing Month in April, but throughout the year;

Signed and sealed this 14<sup>th</sup> day of April, 2009.



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Steve Catalano, Chairman  
Greene County Board of Supervisors

**RESOLUTION TO ACCEPT AND APPROPRIATE THREE HUNDRED SIX DOLLARS AND NINETY CENTS FROM THE STATE GOVERNMENT FOR CARRYOVER FORFEITED ASSET PROGRAMS**

WHEREAS, the Board of Supervisors of the County of Greene, Virginia has received funding from the State Government for expenses; and,


WHEREAS, the following funds in the amount of three hundred six dollars and ninety cents (\$306.90) need to be accepted and appropriated to the 2008-09 Operating 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 the amount of three hundred six dollars and ninety cents (\$306.90) to be received from the above forfeited asset programs be accepted and appropriated to the appropriate line items in the 2008-09 Operating Budget of the County of Greene, Virginia.

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 and to do all things necessary to give this resolution effect.

Adopted this 14th day of April, 2009.

  
\_\_\_\_\_  
Barry Clark, Clerk

  
\_\_\_\_\_  
Chairman

**RESOLUTION TO ACCEPT AND APPROPRIATE  
SIX HUNDRED SIXTEEN DOLLARS AND FIFTY-THREE CENTS  
FOR THE STERILIZATION PROGRAM FOR CATS & DOGS**


WHEREAS, the Animal Control Department for the County of Greene has received funding from the Department of Motor Vehicles for a sterilization program for cats & dogs; and

WHEREAS, the funds in the amount of six hundred sixteen dollars and fifty-three cents (\$616.53) need to be appropriated to the appropriate line item in the 2008-2009 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 six hundred sixteen dollars and fifty-three cents (\$616.53) be appropriated to the 2008-2009 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 14<sup>th</sup> day of April, 2009.



Chairman



Barry Clark, Clerk

**RESOLUTION TO ACCEPT AND APPROPRIATE  
ONE THOUSAND SIX HUNDRED EIGHTY-EIGHT DOLLARS FOR  
SHERIFF FEES**

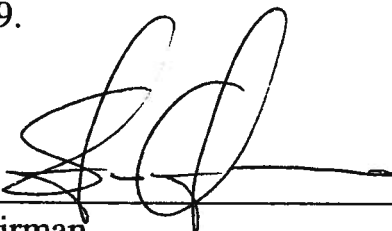
WHEREAS, the Sheriff's Department for the County of Greene has collected fees; and

WHEREAS, the funds in the amount of one thousand six hundred eighty-eight dollars (\$1,688.00) need to be appropriated to the appropriate line item in the 2008-2009 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 six hundred eighty-eight dollars (\$1,688.00) be appropriated to the 2008-2009 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 14th day of April, 2009.

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Barry Clark, Clerk

**RESOLUTION TO ACCEPT AND APPROPRIATE  
THREE THOUSAND EIGHT HUNDRED FIVE DOLLARS AND  
TWENTY-FOUR CENTS FOR SHERIFF EXPENSES**

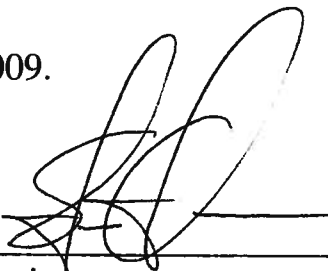
WHEREAS, the Sheriff's Department for the County of Greene has received funding from donations for expenses; and

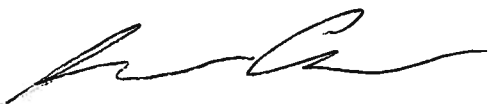
WHEREAS, the funds in the amount of three thousand eight hundred five dollars and twenty-four cents (\$3,805.24) need to be appropriated to the appropriate line item in the 2008-2009 budget of the County of Greene, Virginia.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that three thousand eight hundred five dollars and twenty-four cents (\$3,805.24) be appropriated to the 2008-2009 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 14th day of April, 2009.

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Barry Clark, Clerk



**BOARD OF SUPERVISORS**  
POST OFFICE BOX 358  
STANARDSVILLE, VIRGINIA 22973  
TELEPHONE: 434-985-5201

## RESOLUTION

April 14, 2009

WHEREAS, the streets described on the attached Additions Form SR-5 (A), fully incorporated herein by reference, is shown on a plat recorded in the Clerk's Office of the Circuit Court of Greene County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the streets described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Adopted in open meeting on April 14, 2009 .

A Copy Teste:

Barry J. Clark  
County Administrator

4-14-09  
Date

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