

December 8, 2009

County of Greene, Virginia

THE REGULAR MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, DECEMBER 8, 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

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
- Grant – Sheriff’s Office
- Maintenance – Sheriff’s Office/Health Department
- Vehicles – Sheriff’s Office

**Land Acquisition:**

- Water and Sewer

**Legal:**

- Revenue Recovery

**Personnel:**

- Administrative

**Various Appointments:**

- Social Services Board
- Planning Commission

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: APPOINTMENTS TO PLANNING COMMISSION**

Upon motion by Jeri Allen and unanimous vote, the Board reappointed Bill Martin and Davis Lamb to the Planning Commission.

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

Motion carried.

**RE: APPOINTMENTS TO SOCIAL SERVICES BOARD**

Upon motion by Carl Schmitt and unanimous vote, the Board appointed Jeri Allen and Mike Skeens to the Social Services Board.

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

Motion carried.

RE: PUBLIC SESSION

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

RE: PUBLIC HEARING – AMEND GREENE COUNTY CODE – INCLUDE AREA LOCATED BETWEEN HENSHAW RUN AND SOUTH RIVER ROAD UNDER SECTION 14-61(f)

Mr. Ray Clarke, County Attorney, reviewed the proposed amendment to Section 14-61(f) of the Greene County Code to prohibit dogs from running at large in the area between Henshaw Run and South River Road. It was noted the petition was signed by more than half the residents of the area covered.

Mr. Bart Svoboda, Zoning Administrator, reviewed the area to be included which is designated by lot/tax map numbers. Mr. Svoboda said lots were included that were not on the original petition in order to make the area more easily defined. The obligation for notification has been met by the newspaper ad which listed all lots by tax map number.

Mr. Frank Morris, speaking on behalf of the petitioner, noted his family has had dogs attack their horse. Animal Control Officer Darryl Lawson, who has said he would like to have a county-wide leash law, suggested the residents submit this petition to include this area in the “leash law”.

The Chairman opened the public hearing.

Mr. Ronnie Riner presented a petition in opposition of the proposed amendment. He felt something should be done about problem dogs but the whole area should not have to suffer because of a few people. He noted he has hunting dogs and felt these dogs should be exempt from this section. He also said there are coyotes in the area that could be causing problems.

Mr. Chris Taylor also spoke in opposition of the amendment and said he has killed two coyotes in his yard recently.

Ms. Denise McDonald also spoke in opposition of the proposed amendment. Her grandparents cannot run after their dogs if they get loose. The dogs don't bother anyone.

Mr. Bobby Madison spoke on hunting dogs. He felt the individuals should get the problem straight. He also said hunters have the right to retrieve dogs in Virginia.

Mr. Frank Morris said hunting dogs are not the problem. A person can not take the law into their own hands and shoot dogs as suggested by other speakers. They did what the Animal Control Officer and Sheriff suggested by circulating the petition.

Mr. Devin Madison also expressed concern about hunting dogs being included in this provision.

The Chairman closed the public hearing.

Mr. Clarke said the animal must be under the owner's control to comply with the definition of the leash ordinance. The dog does not have to be on a tether. If someone is hunting with dogs, and they are controlling those dogs while hunting, that would meet the definition in the ordinance.

Mr. Schmitt questioned the designation of vacant lots and other lots on the petition. Mr. Svoboda said the petition refers to residents, not landowners. Staff will identify lot owners but cannot verify information on renters. The signatures on this petition are in excess of 60% of residents in the area.

Mrs. Allen said this provision is designed to deal with those dogs which have a dangerous and nuisance quality to them. Hunters are not willing to let valuable hunting dogs run free and use radio collars, etc. to track. These are not the dogs that are causing the problems. The Animal Control Officer must be given authority to do something about problem dogs.

Mrs. Allen said she was inclined to approve this request, if in fact, there is a majority of citizens requesting this and with the understanding that it is just the problem animals that are a danger to children, the elderly, or livestock that are affected, not the hunting dogs.

Mr. Skeens agreed saying the intent is to go after vicious dogs.

Mr. Peyton noted there are a number of subdivisions already included in this ordinance and the criteria was based on the percentage of signatures received.

Mr. Skeens asked if citizens have been informed and Mr. Svoboda answered that notification requirements were met by the newspaper advertisement.

Mr. Schmitt felt there was a confusion factor with two petitions which made this request less than a perfected proposal. He questioned if the Board should take action on this request.

In response to discussion regarding the percentage of signatures on the petition, Mr. Clarke said the requirement for 51% of the residents is Board policy.

Mr. Schmitt felt approval of this request would give enforcement officials a nightmare to figure out.

Mrs. Allen said the objective of the ordinance is not to lock up hunting dogs. The objective of the ordinance is to give a property owner who is being threatened by a dog a way to handle the situation

The Chairman noted there are some factors that need to be dealt with before a county-wide ordinance could be enacted. It would seem that the County is heading in that general direction but hunting dogs are protected. Dogs do not have to be on leashes, tethered or in a pen.

Upon motion by Mike Skeens and affirmative vote, the Board approved the amendment to Section 14-61(f) of the County Code to include the area located between Henshaw Run and South River Road. (See Attachment "A")

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jeri Allen	-	Yes
	Carl Schmitt	-	No
	Mike Skeens	-	Yes

Motion carried.

RE: HEALTH DEPARTMENT

Dr. Lilian Peake was present to request authorization from the Board to retain funds that are no longer matched by State funding. The State reduced FY 09-10 funding for the Health Department by \$9,009. This reduction reduces the County's required match by \$4,098.

Dr. Peake noted the reductions have made their budget extremely tight and eight (8) vacant positions are currently frozen. The Greene County Health Department will be required to, in absence of this funding, reduce staffing thereby directly impacting services provided.

Dr. Peake also said the Department is expecting additional cuts next year. It was noted this money is already budgeted in the current year. Mr. Peyton said the Board has agreed that additional cuts by the State will be passed on to affected departments.

After further discussion, it was the consensus of the Board to approve this request.

RE: MATTERS FROM THE PUBLIC

Mr. Jay Willer thanked Mrs. Allen for her intelligence, hard work, diligence and courage while serving as a member of the Board of Supervisors. Her efforts have been greatly appreciated.

RE: CONSENT AGENDA

Upon motion by Mike Skeens and unanimous vote, the Board approved the following items on the consent agenda.

- a. Minutes of November 10, 2009 meeting.
- b. Resolution to accept Flintstone Drive in Waters Edge Subdivision into the State Secondary Road System. (See Attachment "B")
- c. Revenue anticipation note resolution. (See Attachment "C")
- d. Resolution to accept and appropriate \$176,869 in Stimulus Funding for Greene County Transit from Virginia Department of Rail and Public Transportation. (See Attachment "D")
- e. Resolution to accept and appropriate \$3,000 for Water Quality Improvement Fund Grant for Recreation Park. No local match required. (See Attachment "E")
- f. Resolution of support of application for US Department of Energy (DOE) grant funding. (See Attachment "F")
- g. Resolution to accept and appropriate \$71,971 in carryover funds from the State/Federal Governments from the COPS Secure Our Schools Grant to the FY 2009. (See Attachment "G")

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

WATER SUPPLY PLAN

Mr. Schmitt read a press release regarding the Regional Water Supply Plan for Greene County and the Town of Stanardsville. (See Attachment "H") Copies will be available online or at the Planning Department.

Mr. Schmitt said this has been done well in advance of the deadline and puts the County in a good position in resolving water concerns. Public comment is welcomed.

BUDGET

The Chairman proposed the Board direct staff to send notice to departments to prepare a relatively "flat" budget with provisions for a 5 and 10 percent reduction. This includes no capital improvements and no increased staff. He also suggested staff be instructed to prepare a list of non-essential budget requests for review by the Board.

RAPIDAN SERVICE AUTHORITY

Mrs. Allen reported that the Lydia Spring System was closed on December 3. Sixteen of the seventeen residences had successfully dug wells at that time.

RSA is advertising a rate increase proposal to finance an upgrade of the Wilderness Sewage Treatment Plant. The proposed rate is \$11.39 per thousand gallons. Greene County's rate is currently \$6.58. An increase from \$10,000 to \$12,500 in availability fees for the Wilderness Plant will also be considered at a public hearing in February. Greene County currently charges \$10,000 for availability fees.

EDA

Mrs. Allen said the groundbreaking ceremony for Wal-Mart was a success. She noted the EDA put together an impressive proposal to ensure Wal-Mart was built sooner rather than later and is taking the same approach with CVS with hopes for the same level of success.

The EDA will be moving their office to the Tourism Center in Ruckersville in February. Current office space will be sublet until their lease expires in 2011.

PLANNING COMMISSION

Mrs. Allen said the Planning Commission continues to work on the Comprehensive Plan.

PRESENTATION TO MRS. ALLEN

The Chairman presented Mrs. Allen with a plaque in honor of her eight years of service on the Board of Supervisors.

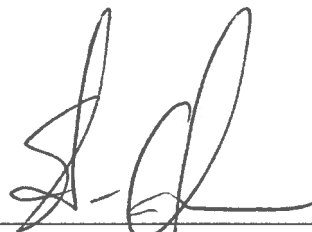
Mrs. Allen then presented the Board with a framed picture of the Courthouse taken prior to the explosion in 1979.

Board of Supervisors  
December 8, 2009  
Sheet 7

Mrs. Allen thanked staff and fellow board members for their support and hard work and said it has been a pleasure and honor to serve on the Board of Supervisors.

RE: ADJOURN MEETING

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

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

Steve Catalano, Chairman  
Greene County Board of Supervisors

(c) The running at large of dogs not duly licensed and displaying tags pursuant to the provisions of this division is prohibited.

(d) Pursuant to the authority of Code of Virginia, § 3.1-796.93, as amended, the running at large of dogs within the entire county is prohibited from March 1 through March 31 of each year. This amendment adopted December 11, 1984, shall be effective on a trial basis for calendar year 1985 only.

(e) The running at large of dogs is prohibited in any portion of the county as may be designated from time to time by ordinance of the board of supervisors and during such months as designated from time to time by ordinance of the board of supervisors.

(f) No dog shall be allowed to run at large, or remain unconfined, unrestricted or not penned up at any time in the areas zoned R-1, R-2, SR, PUD, B-1, B-2, B-3, M-1, M-2, County owned property, or in the areas known as:

Enderly Acres Subdivision	12/04/76
Greene Mountain Lake Subdivision	1/01/79
Locust Lane Subdivision	7/05/79
Greene Lea Subdivision	3/07/81
Lake Saponi Subdivision	4/04/81
Pinewood Terrace Subdivision	12/05/81
Corporate Town Limits of Stanardsville	4/24/84
Daniel's Mobile Home Park	6/13/89
Twin Lakes Subdivision	10/13/92
Woodridge Subdivision	11/23/92
Wildwood Valley Subdivision	5/11/93
Quinque Woods Subdivision	5/11/93
Westview Subdivision	6/08/93
Country Meadows Subdivision	8/10/93
Le-High Subdivision	8/10/93
Greene Acres Subdivision	7/26/94
Lake View Subdivision	11/08/94
Golden Hills Subdivision	11/08/94
Mountain View Subdivision	12/13/94
Harlowedge Subdivision	9/15/95
Foxwood Subdivision	9/15/95
Holmes Run Subdivision	5/14/96
Midway Acres Subdivision	11/11/97
Wetsel Village Subdivision	4/11/98
Ruckersville Heights Subdivision	9/08/98
Little Pines Subdivision	9/08/98
Rippin Run Subdivision	10/13/98
Warmar Subdivision	12/08/98
Oak Terrace Subdivision	1/12/99
Cedar Grove Mobile Home Park	6/29/99
Spring Hill Road Area (See Attached Description)	05/27/03
Little Mountain Estates Subdivision	1/31/06
Area between Henshaw Run and South River Road (See Attached Description)	12/08/09

and fully described in an exhibit file with a copy of this division in the clerk's office of the county circuit court and in the office of the county administrator of the county.

(Ord. of 4-24-84(3), § 13; Ord. of 12-11-84)

**Cross reference**—Streets, sidewalks and other public places, ch. 62.

**This section amended by the Board of Supervisors on November 10, 2009 and December 8, 2009**

**Boundary of Area Between Henshaw Run and South River Road:**

Includes all properties with the following tax map parcel numbers:

28-(A)-28	28-(A)-40A
28-(A)-29	28-(A)-41
28-(A)-30	28-(A)-42
28-(A)-31	28-(A)-43
28-(A)-32	28-(A)-44
28-(A)-33	28-(A)-45
28-(A)-34	28-(A)-46
28-(A)-35	28-(A)-47
28-(A)-35A	28-(A)-48
28-(A)-36	28-(A)-49
28-(A)-37	28-(A)-49A
28-(A)-37A	28-(A)-50
28-(A)-37B	28-(A)-51
28-(A)-37C	28-(A)-52
28-(A)-38	28-(A)-53
28-(A)-39	28-(A)-53A
28-(A)-40	

**Amendment approved by Board of Supervisors on December 8, 2009**



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

**RESOLUTION**

December 8, 2009

WHEREAS, the streets described on the attached VDOT Form AM-4.3, 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 VDOT Form AM-4.3 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 December 8, 2009.

A Copy Teste:

  
\_\_\_\_\_  
Barry J. Clark                      12/08/09  
County Administrator                      Date

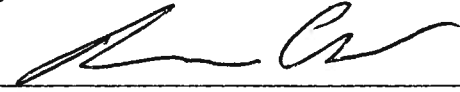
Recorded Vote:	Jeri Allen	-	Yes
	Mike Skeens	-	Yes
	Clarence Peyton	-	Yes
	Carl Schmitt	-	Yes
	Steve Catalano	-	Yes

## In the County of Greene

By resolution of the governing body adopted December 8, 2009

*The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.*

A Copy Testee Signed (County Official):



### Report of Changes in the Secondary System of State Highways

Project/Subdivision **Waters Edge Subdivision**

**Type Change to the Secondary System of State Highways:** **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested; the right of way for which, including additional easements for cuts, fills and drainage, as required, is hereby guaranteed:

Reason for Change: **New Subdivision street**

Pursuant to Code of Virginia Statute: **§33.1-229**

**Street Name and/or Route Number**

► **Flintstone Drive, State Route Number 1123**

Old Route Number: 0

- From: Intersection of Route 1120 Arrowhead Drive  
To: Intersection of Route 1124 Flintstone Court, a distance of: 0.50 miles.  
Recordation Reference: DB 1005, Page 343  
Right of Way width (feet) = 50'

► **Flintstone Drive, State Route Number 1123**

Old Route Number: 0

- From: Intersection of Route 1124 Flintstone Court  
To: Cul-de-sac, a distance of: 0.07 miles.  
Recordation Reference: DB 1005, Page 343  
Right of Way width (feet) = 50'

► **Flintstone Court, State Route Number 1124**

Old Route Number: 0

- From: Intersection of Route 1123  
To: Cul-de-sac, a distance of: 0.03 miles.  
Recordation Reference: DB 1005, Page 343  
Right of Way width (feet) = 50'

WHEREAS, the Public Finance Act of 1991, as amended (the "Act"), permits Greene County, Virginia (the "County"), to issue notes, when authorized by the Board of Supervisors of the County (the "Board"), at any time during the fiscal year in anticipation of the collection of taxes or revenues or both of such year; and

WHEREAS, it is the consensus of the Board that the County should authorize the issuance and sale of notes in the maximum principal amount of \$2,000,000, which may be issued as one or more notes in one or more series (the "Revenue Notes") in anticipation of the taxes and revenues to be collected by the County, including without limitation, the revenue to be derived from the collection of real estate taxes and personal property taxes during the fiscal year commencing July 1, 2009, and ending June 30, 2010, the Revenue Notes to be so issued to bear date or dates not earlier than December 8, 2009, and to have a maturity date no later than June 30, 2010; and

WHEREAS, the County in the General Fund Budget adopted for the fiscal year beginning July 1, 2009, has estimated the revenue to be derived from real estate taxes and from personal property taxes to be collected in the fiscal year and to be deposited to the credit of the County prior to June 30, 2010 to be in excess of \$2,000,000; and

WHEREAS, the County will receive grants and reimbursements from the Federal and State governments in excess of \$1,000,000 for the fiscal year ending June 30, 2010; and

WHEREAS, the County is obligated to expend local funds in anticipation of such grants and reimbursements; and

WHEREAS, the Board also supports the issuance and sale of such notes in the maximum amount of \$1,000,000 which may be issued as one or more notes in one or more series (the "Grant Notes") in anticipation of receiving payments from the Federal or State government, the Grant Notes to be so issued to bear a date or dates not earlier than December 8, 2009 and to have a maturity date no later than June 30, 2010; and

WHEREAS, the County Administrator of the County (the "County Administrator") has received from Bank of America, N.A. (the "Bank") a commitment (the "Commitment Letter") for the purchase of the Revenue Notes and the Grant Notes (collectively, the "Notes"); and

NOW THEREFORE, THE BOARD OF SUPERVISORS OF GREENE COUNTY, VIRGINIA HEREBY RESOLVES THAT:

1(a). The issuance of the Revenue Notes is authorized in the maximum principal amount of \$2,000,000 at any given time in anticipation of taxes and revenues to be collected by the County, including without limitation, the revenue to be derived from the collection of real estate taxes and personal property taxes during the fiscal year commencing July 1, 2009, and ending June 30, 2010, it being understood that the Revenue Notes may be issued in an amount less than \$2,000,000. The Revenue Notes to be issued shall bear a date or dates not earlier than December 8, 2009 and shall have a maturity date no later than June 30, 2010. The Revenue

Notes shall bear an interest rate equal to seventy-five percent (75%) of the Bank's prime rate, as the same may be adjusted from time to time and shall be payable as set forth in the Revenue Notes.

1(b). The issuance of the Grant Notes is authorized in the maximum principal amount of \$1,000,000 at any given time in anticipation of grants and reimbursements to be received from the Federal or State government for the fiscal year commencing July 1, 2009 and ending June 30, 2010, it being understood that the Grant Notes may be issued in an amount less than \$1,000,000. The Grant Notes to be issued shall bear a date or dates not earlier than December 8, 2009 and shall have a maturity date no later than June 30, 2010. The Grant Notes shall bear an interest rate equal to seventy-five percent (75%) of the Bank's prime rate, as the same may be adjusted from time to time and shall be payable as set forth in the Grant Notes.

2. The Commitment Letter and the terms and conditions thereof are hereby approved by the County. The County agrees to pay a fee equal to twenty (20) basis points per annum on the unadvanced portion of the Notes, calculated on the average daily unadvanced balance of the Notes commencing on the date that the Notes are executed (even if they are not considered issued for federal income tax purposes) and ending on June 30, 2010, and payable quarterly in arrears on December 31, 2009, March 31, 2010 and June 30, 2010. The Treasurer of the County (the "Treasurer") and the County Administrator are each authorized to take any and all actions that he or she determines to be in the best interest of the County in selling the Notes to the Bank. The actions of the Treasurer and the County Administrator in selling the Notes shall be conclusive, and no further action shall be necessary on the part of the Board.

3. The Notes shall be in a form satisfactory to the Treasurer.

4. If the Notes or any of the Notes are not paid at maturity, the amount of any unpaid Notes shall be included as an appropriation in the General Fund Budget for the fiscal year commencing July 1, 2010, and ending June 30, 2011.

5. The power and obligation of the County to pay principal of and interest on the Notes shall be unlimited and the County shall levy and collect ad valorem taxes upon all taxable property within the County, without limitation as to rate or amount, sufficient to pay the principal of and interest on the Notes. The full faith and credit of the County are pledged for the payment of principal of and interest on the Notes.

6. The County covenants that it shall not take or omit to take any action the taking or omission of which will cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, including regulations issued pursuant thereto (the "Code"), or otherwise cause interest on the Notes to be includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Notes, unless the County receives an opinion of nationally recognized bond counsel that such compliance is not required to prevent interest on the Notes from being includable in the gross income for federal income tax

purposes of the registered owners thereof under existing law. The County shall pay any such required rebate from its legally available general funds.

7. Such officers of the County as may be requested are authorized and directed to execute appropriate certificates setting forth facts and covenants related to the expected use and investment of the proceeds of the Notes in order to show that such expected use and investment will not violate the provisions of Section 148 of the Code and any elections such officers deem desirable regarding rebate of earnings to the United States for purposes of complying with Section 148 of the Code. Such certificates, covenants and elections shall be in such form as may be requested by bond counsel for the County.

8. The County covenants that it shall not permit the proceeds of the Notes to be used in any manner that would result in (a) 5% or more of such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, (b) 5% or more of such proceeds being used with respect to any output facility (other than a facility for the furnishing of water), within the meaning of Section 141(b)(4) of the Code, or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any person other than a governmental unit, as provided in Section 141(c) of the Code; provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the Notes from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such covenants.

9. All other actions of officers of the County in conformity with the purposes and intent of this resolution and in furtherance of the issuance and sale of the Notes are approved and confirmed. The officers of the County are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Notes.

10. The Notes are hereby designated as Qualified Tax-Exempt Obligations, as defined in Section 265(b)(3) of the Code. It is not anticipated that the County or any subordinate entity of the County will issue in calendar year 2009, in the aggregate, more than \$30,000,000 of Qualified Tax-Exempt Obligations for the benefit of the County. The County covenants that the Notes do not constitute a private activity bond, as defined in Section 141 of the Code, and that not more than \$30,000,000 in aggregate principal amount of obligations the interest on which is excludable under Section 103 of the Code from gross income for federal income taxation (excluding, however, private activity bonds, as defined in Section 141 of the Code, other than qualified 501(c)(3) bonds, as defined in Section 145 of the Code), including the Notes, have been or shall be issued by the County, including all subordinate entities of the County, for the benefit of the County during the 2009 calendar year. No entity has been formed or availed of, to the benefit of the County or any subordinate entity, to avoid the purposes of subparagraph (C) or (D) of Section 265(b)(3) of the Code.

11. The County agrees not to amend, supplement or modify this Resolution without the prior written consent of the Bank.

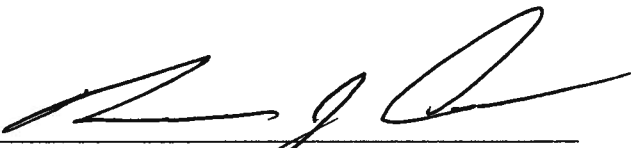
12. This resolution shall be in full force and effect upon adoption.

**CERTIFICATE**

The undersigned Clerk of the Board of Supervisors of Greene County, Virginia, does hereby certify that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board held on December 8, 2009, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing Resolution, a quorum was present. The vote of the members of the Board upon the foregoing Resolution was as follows:

<u>Member</u>	<u>Present/Absent</u>	<u>Vote</u>
<u>Steve Catalano</u>	<u>Present</u>	<u>Yes</u>
<u>Clarence Peyton</u>	<u>Present</u>	<u>Yes</u>
<u>Jeri Allen</u>	<u>Present</u>	<u>Yes</u>
<u>Mike Skeens</u>	<u>Present</u>	<u>Yes</u>
<u>Carl Schmitt</u>	<u>Present</u>	<u>Yes</u>

WITNESS MY HAND and the seal of Greene County, Virginia, this 11<sup>th</sup> day of December, 2009.

  
\_\_\_\_\_  
Clerk, Board of Supervisors of Greene County,  
Virginia

**RESOLUTION TO ACCEPT AND APPROPRIATE  
ONE HUNDRED SEVENTY-SIX THOUSAND EIGHT HUNDRED  
SIXTY-NINE DOLLARS FOR TRANSIT EXPENSES**

WHEREAS, the Transit Department for the County of Greene has received stimulus funding from the State/Federal Government for expenses; and

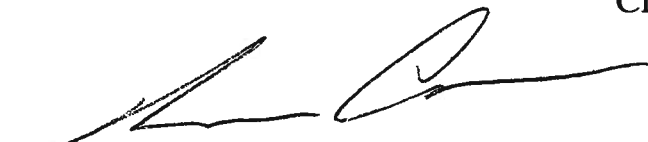
WHEREAS, the funds in the amount of one hundred seventy-six thousand eight hundred sixty-nine dollars (\$176,869.00) need to be appropriated to the appropriate line item in the 2009-2010 budget of the County of Greene, Virginia.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that one hundred seventy-six thousand eight hundred sixty-nine dollars (\$176,869.00) be appropriated to the 2009-2010 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 8th day of December, 2009.

  
Chairman

  
Barry Clark, Clerk

**RESOLUTION TO ACCEPT AND APPROPRIATE  
THREE THOUSAND DOLLARS FOR WATER QUALITY  
IMPROVEMENT FUND-REGIONAL GRANT PROGRAM**

WHEREAS, the Parks & Recreation Department for the County of Greene has received stimulus funding from the State/Federal Government for expenses; and

WHEREAS, the funds in the amount of three thousand dollars (\$3,000.00) need to be appropriated to the appropriate line item in the 2009-2010 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 dollars (\$3,000.00) be appropriated to the 2009-2010 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 8th day of December, 2009.

  
\_\_\_\_\_  
Chairman

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

## **RESOLUTION OF SUPPORT Department of Energy (DOE) Ramp-Up Grant**

WHEREAS, addressing energy efficiency is in the public's best interests as it promotes a cleaner environment, cost savings, a healthier populace, and a higher quality of life; and

WHEREAS, the Local Energy Alliance Program (LEAP), has been established as a community-based, nonprofit whose mission is to help facilitate unprecedented utility (energy and water) savings by retrofitting buildings and installing renewable technologies in both residential and commercial sectors; and

WHEREAS, LEAP is being designed to save money for residents, business owners and others, to stimulate ongoing workforce and economic development and to reduce greenhouse gas emissions; and

WHEREAS, LEAP will deliver efficiency and clean energy programs to include, but not limited to, the following:

- Education and outreach to the community on energy efficiency and renewable energy
- Facilitation of energy conservation and renewable energy measures, including a financing component for said measures for the citizens, businesses and property owners in the community
- Commitment to substantial reductions in non-renewable energy use as defined by 20% - 40% efficiency gain and 30% - 50% market penetration in five-to-seven years in the community
- Quality assurance, measurement, verification, and reporting of the results of the measures taken; and

WHEREAS, based on an alliance and membership model, LEAP desires to work and collaborate with community stakeholders and member localities in the Thomas Jefferson Planning District region on programs to facilitate energy efficiency and renewable energy and create a comprehensive energy efficiency program; and

WHEREAS, the US Department of Energy (DOE) issued a Funding Announcement Opportunity (DE-FOA-0000148) on October 19, 2009, for a Retrofit Ramp-Up Program within its Energy Efficiency and Conservation Block Grant Program; and

WHEREAS, LEAP is collaborating with the Southeast Energy Efficiency Alliance (SEEA) along with several other communities and organizations from the southeast region to submit a grant proposal in response to this funding opportunity; now, therefore, be it

RESOLVED, that the County of Greene supports the SEEA application for DOE grant funding in order to provide specific funding for LEAP's programs and services in our community.

Adopted in Open Meeting this 8<sup>th</sup> day of December, 2009.



\_\_\_\_\_  
Steve Catalano, Chairman  
Greene County Board of Supervisors

**RESOLUTION TO ACCEPT AND APPROPRIATE SEVENTY-ONE THOUSAND NINE HUNDRED SEVENTY-ONE DOLLARS AND FROM THE FEDERAL GOVERNMENTS FOR CARRYOVER PROGRAMS**

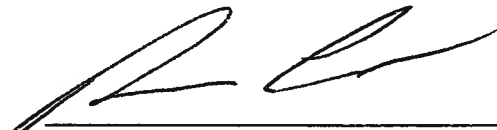
WHEREAS, the Board of Supervisors of the County of Greene, Virginia has received grant funding for COPS-Secure Our Schools Grant and,

WHEREAS, the following funds in the amount of seventy-one thousand nine hundred seventy-one dollars (\$71,971.00) need to be accepted and appropriated to the 2009-10 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 seventy-one thousand nine hundred seventy-one dollars (\$71,971.00) to be received from the above programs be accepted and appropriated to the appropriate line items in the 2009-10 Operating Budget of the County of Greene, Virginia.

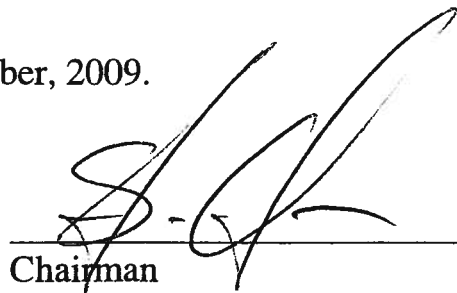
BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget and to do all things necessary to give this resolution effect.

Adopted this 8th day of December, 2009.



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Barry Clark, Clerk



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Chairman

December 8, 2009

## **Regional Water Supply Plan for Greene County and the Town of Stanardsville**

After the drought of 2002, the State of Virginia issued regulations requiring every local or regional jurisdiction in the State to prepare a Water Supply Plan for their area. Since Greene County and the Town of Stanardsville together represent a regional jurisdiction, the deadline for the Plan submission is November 2, 2011. However, the Plan has been developed to such a degree that it is being issued for public comment and is being forwarded to the Virginia Department of Environmental Quality (DEQ) for comment well before the deadline for final submission. W.W. Associates is the engineering firm used by the County for preparation of the Plan.

The Plan contains a number of elements. It describes the existing water resources and uses in the County. It describes the conditions such as geologic, hydrologic, meteorological, etc. as they exist in the region. It assesses the projected water demand and describes water management actions for efficient use of water, water conservation, reduction of water losses, and drought response and contingency planning. The Plan addresses the water needs for the region out to 2050 and identifies potential alternatives to address projected deficits in future water supplies. The alternatives are wells to enhance short term supply and a reservoir (either pumped impoundment or on-stream reservoir) for long term supply. Potential reservoir sites are identified in the Plan.

The alternatives cited in the Greene County Regional Water Supply Plan are continuing to be assessed, with investments being made in further engineering and environmental evaluations. This work is expected to further refine the alternative reservoir site analysis and lead to a Joint Permit Application with DEQ and the U.S. Army Corps of Engineers for a water supply reservoir.

The Greene County Regional Water Supply Plan referred to above will be available for viewing on the County Web page, [www.gcva.us](http://www.gcva.us). A paper version will be available in the Planning and Zoning Department at the County Administration Building, 40 Celt Road, Stanardsville. A CD of the Plan may be obtained at the Planning and Zoning Office for \$5. Comments regarding the Plan are requested by February 26, 2010 and may be sent to Mr. Barry Clark, County Administrator, P. O. Box 358, Stanardsville, VA 22973 or by e-mail to [bclark@gcva.us](mailto:bclark@gcva.us).