

June 23, 2009

County of Greene, VA

THE REGULAR MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, JUNE 23, 2009, 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 Carl Schmitt 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:**

- Maintenance of Buildings

**Personnel:**

- Job Descriptions
- Constitutional Officers

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 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: SERVICE AWARDS

The Chairman presented the following employee service awards:

Stacy Eppard	-	10 years
Anita Shifflett	-	10 years
Patti Vogt	-	30 years

The Chairman also presented a certificate of appreciation to Raymond Daughtry for his 34 years of service on the Board of Zoning Appeals.

RE: PUBLIC HEARING – BRUCE SHIFFLETT/GEORGE AND SUZANNE HANEY, JR.  
– SPECIAL USE PERMIT FOR AN ELECTRONIC MESSAGE CENTER

Mr. Bart Svoboda, Zoning Administrator, reviewed the request from Bruce Shifflett/George and Suzanne Haney, Jr. for a Special Use Permit for an electronic message center on a 1.04 acre tract zoned B-2, Business, located on Seminole Trail and identified on County Tax Maps as 60C-(A)-29. (SUP#09-001)

The Planning Commission recommended approval with conditions as follows:

1. The electronic message center signage shall be considered part of the aggregate building/store frontage signage.
2. The electronic message center shall not have neon colored lights and shall not flash, rotate or visually move so as to preserve the aesthetic character of the community and promote traffic safety.
3. The electronic message center shall not be animated in any manner.
4. The electronic message shall not scroll across the electronic message center.
5. The permitted hours of operation for the electronic message center shall be 6:00 a.m. to 11:00 p.m.
6. Electronic message center may be changed at periodic intervals of every 2 hours, within the hours of operation.

Mr. Bruce Shifflett, applicant, requested the sign be allowed to change more frequently than every two hours. He noted there will be four businesses advertised.

The Chairman opened the floor for public comment. Ms. Kim Brown, co-owner of the Lydia Mountain Dinner Show, felt the message changing more frequently would be more beneficial in promoting the businesses and would not create a problem. Mrs. Tina Deane, Manager of Lydia Cabins, reiterated comments by Mr. Shifflett and Ms. Brown. The public hearing was closed as there were no further comments.

Mr. Peyton asked what frequency the applicant would prefer. Ms. Brown said they would prefer two minutes.

Mr. Schmitt asked how many messages would be on the sign. The applicant said four or five different messages including time and temperature.

Mr. Skeens said he could understand wanting change more than every two hours. The Chairman felt two hours is a bit rigid in this circumstance.

Upon motion by Clarence Peyton and affirmative vote, the Board approved the request from Bruce Shifflett/George and Suzanne Haney, Jr. for a Special Use Permit for an electronic message center on a 1.04 acre tract zoned B-2, Business, located on Seminole Trail and identified on County Tax Maps as 60C-(A)-29 (SUP#09-001) with the following conditions:

1. The electronic message center signage shall be considered part of the aggregate building/store frontage signage.
2. The electronic message center shall not have neon colored lights and shall not flash, rotate or visually move so as to preserve the aesthetic character of the community and promote traffic safety.
3. The electronic message center shall not be animated in any manner.
4. The electronic message shall not scroll across the electronic message center.
5. The permitted hours of operation for the electronic message center shall be 6:00 a.m. to 11:00 p.m.
6. Electronic message center may be changed at periodic intervals of every two (2) minutes, within the hours of operation.

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

Motion carried.

RE: PUBLIC HEARING – ARTICLE 19 – SITE DEVELOPMENT PLAN

Mr. Svoboda reviewed the application which is to amend various sections of the text of the Zoning Ordinance for purposes of correction, modification and elaboration of district and general regulations. This staff initiated request is proposed for clarification of intent, the addition of definitions and correction of inconsistencies.

The Planning Commission recommended approval of the proposed amendment as written by staff as it provides a more streamline process, saving time and money while making valuable staff resources available for more complex issues.

The proposed letter of revision (LOR) process would consist of the submission of a sketch plan accompanied by a narrative justifying the minor change to an approved site development plan. LOR's would be limited to three (3) per site. The Zoning Administrator shall determine when a minor change qualifies for a LOR. The fee for this process would be One

Hundred Dollars (\$100). All applicable federal, state, and local ordinance requirements would be met for an approval of a LOR.

The Chairman opened the floor for public comment. The public hearing was closed with no public comments.

In response to a question by Vice Chairman Clarence Peyton, Mr. Svoboda said the \$100 fee will cover associated costs.

Board member Carl Schmitt suggested additional language be included in the ordinance for the purpose of clarification.

Mr. Svoboda said no action by the Board of Supervisors can be amended by a Letter of Revision including accepted/approved proffers.

Upon motion by Clarence Peyton and affirmative vote, the Board approved the amendment to the Zoning Ordinance (OR#09-001) as proposed and as follows:

Article 19

19-2-5 No change, revision or erasure shall be made on any preliminary or final site development plan nor on any accompanying data sheet unless authorization for such change is granted in writing by the agent. Any site development plan may be revised, provided that a request for such revision shall be submitted and processed in the same manner as an original site development plan. The foregoing notwithstanding, the agent may approve, administratively, minor changes to an approved site development plan in any case in which he shall determine that the site development plan, as amended, is in compliance with the terms of all applicable laws; is substantially in compliance with the approved site development plan together with all conditions imposed by the commission or agent; and will have no additional adverse impact on adjacent properties or public facilities.

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

Motion carried.

RE: MATTERS FROM PUBLIC

Mr. Sherman Dean and Mr. Wayne Morris were present to discuss action by Rapidan Service Authority to close the Lydia Spring Water System. Both gentlemen stated this would cause a hardship for homeowners and questioned if there would be sufficient land for both a septic system and well as some of the lots are small. Rapidan Service Authority has indicated a sum of \$7,000 will be paid to each homeowner to apply towards the cost of a well.

RSA informed the 17 homeowners who are serviced by the Lydia Spring Water System that they will be shutting the system down due to contamination. The homeowners are questioning if RSA can just make this decision on their own. Mr. Dean and Mr. Morris said they need help.

The Chairman explained that RSA is an authority governed by their own board of directors. The Board of Supervisors can pass these concerns along to RSA.

Mr. Schmitt asked if these concerns were discussed with RSA. Mr. Morris said they were but it seems, to RSA, this is "cut and dried" and will happen.

RE: CONSENT AGENDA

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

- a. Minutes of the June 9, 2009
- b. Request for Firework Permits (See Attachment "A")

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

Motion carried.

RE: OTHER MATTERS FROM THE BOARD

Mr. Schmitt said funding for a landuse cover map for the entire county has been secured by the River Basin Commission. No local funds will be required for this project.

Mr. Schmitt noted VDOT will be paving on Route 33 east, Route 607 and Route 609. Also, a scoping meeting on the Route 29/Route 607 project will be scheduled in July or August.

Mr. Schmitt said the Thomas Jefferson Planning District Commission held a meeting with county and city representatives of all localities in the planning district to discuss the possibility of a joint application for a regional broadband program.

Mr. Schmitt noted Lowe's has awarded a \$1,200 grant to be used for improvements at the Park.

RE: ADJOURN MEETING

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

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

Steve Catalano, Chairman  
Greene County Board of Supervisors

Board of Supervisors  
June 23, 2009  
Sheet 8

Board of Supervisors  
June 23, 2009  
Attachment "A"

Firework Permits - 2009

Greene Mountain Lake Subdivision  
John C. Holder  
Ronald W. Lamm

Greene Mountain Lake Subdivision  
407 Shepherdshill Road  
946 Matthew Mill Road

Stanardsville  
Ruckersville

July 4, 2009  
July 4, 2009  
July 4, 2009

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