

March 10, 2009

County of Greene, Virginia

THE REGULAR MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, MARCH 10, 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:

- Solid Waste
- Energy Efficiency Study

Land Acquisition:

- Water and Sewer

Personnel:

- Personnel Policy Manual

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: PUBLIC SESSION

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

RE: PUBLIC HEARING – REZONE REQUEST FROM BOBBIE EDDINS AND PHILIP AND DONNA THACKER

Mr. Bart Svoboda, Zoning Administrator, reviewed the application from Bobbie Eddins and Philip and Donna Thacker to rezone 19.97 acres from R-1, Residential, to B-3 Business, located on Seminole Trail and identified on County Tax Maps as 65-(A)-47 & 48 and 65-(11)-1 & 2. (RZ#08-006)

Current zoning will allow 19 combined acres of R-1 zoned land which could equate to 10 by right cluster single family units with private water and septic; 15 by right clustered single family units with either public water or sewer; or 47 by right clustered single family units with both public water and sewer.

The traffic impact analysis recommendations included the relocation of the existing median break at Greene Edge Road to approximately 50 feet north on Route 29, the construction of a full width right-turn lane on southbound Route 29 and a full width left-turn lane on northbound Route 29 at the site entrance.

The Planning Commission recommended approval with acceptance of submitted proffers.

Mr. Michael Barnes, representative of the applicants, discussed the proffers which included stream buffer, storm water management, design guidelines, road improvements and interparcel road connection.

The Chairman opened the floor for public comment. Mrs. Andrea Wilkinson said the Ruckersville Citizen Council discussed the possibility of vehicles being able to turn left out of Lake Saponi Drive.

Mr. Bob Burkholder, adjoining property owner, spoke in favor of the proposed rezone.

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

Board member Carl Schmitt questioned the additional traffic lanes proposed per proffers. Mr. Barnes said proffers include right-of-way for additional south bound lane and for turn lane into site.

In response to a question from Mr. Schmitt, Mr. Barnes said Albemarle County has requirements for the entrance road to be built to public road standards.

It was noted it would be the responsibility of the applicant to construct water and sewer infrastructure to the site.

Board member Mike Skeens questioned the off site right-of-way and/or easements. Mr. Barnes said the proffers include the applicant conducting a warrant study to determine if a traffic light is needed. VDOT would be responsible for off site right-of-way or easements.

Board member Jeri Allen said she thought this is a good project.

Vice Chairman Clarence Peyton felt the property is ideally situated for this rezone which is in compliance with the Compensation Plan and State Code.

The Chairman also agreed that this rezone is appropriate.

Upon motion by Carl Schmitt and unanimous vote, the Board approved the request from Bobbie Eddins and Philip and Donna Thacker to rezone 19.97 acres from R-1, Residential, to B-3, Business, located on Seminole Trail and identified on County Tax Maps as 65-(A)-47 & 48 and 65-(11)-1 and 2 with submitted proffers dated March 10, 2009. (RZ#08-006)

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

Motion carried.

RE: PUBLIC HEARING – REVISIONS TO GREENE COUNTY ZONING ORDINANCE – INDUSTRIAL (LIMITED) M-1 AND INDUSTRIAL (GENERAL) M-2 ZONES

Mr. Svoboda reviewed the amendments as proposed which would include uses allowed by right and special use permit in the M-1 to also be allowed in M-2 zone.

The Planning Commission recommended approval.

The Chairman opened the floor for public comment. Mrs. Andrea Wilkinson spoke on setback requirements. She felt the setbacks should vary by the type of use.

Mr. James Henshaw felt industrial uses appropriate in one area might not be appropriate in another. He suggested adjacent landowners be contacted for input. Mr. Henshaw did not feel a revision is needed at this time.

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

Mr. Svoboda said property currently zoned M-1 or M-2 include the former Technicolor property, the Industrial Park, the Business Park, the Milton Oliver property, the Institute for Highway Safety property, and property on Commerce Drive.

Board members felt the proposed revision was straightforward and noted the controls allowed by special use permit would be in place. The revisions would include the lighter uses of the M-1 zone in the M-2 zone.

The Chairman asked about the setback requirements. Mr. Svoboda said staff could review the requirements and noted they are the same with the exception of tree buffering under accessory uses. The Chairman said a large percentage of M-1 and M-2 zoned land is vacant at this time.

Upon motion by Carl Schmitt and unanimous vote, the Board approved the revisions to Industrial (Limited) M-1, and Industrial (General) M-2 zoning districts and all applicable references in the Greene County Zoning Ordinance as proposed. (See Attachment "A")

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

Motion carried.

The Board directed staff to review the setback requirements for the M-1 and M-2 zones.

RE: PLANNING DEPARTMENT – PROJECT LIST

Mr. Schmitt suggested the addition of jurisdictional areas for water and sewer. Mr. Svoboda suggested adding the review of M-1 and M-2 zones to the housekeeping list.

The Board discussed the expansion of non-conforming uses. Currently, expansion of up to 50% of a non-conforming use is allowed on the original parcel of record.

Mrs. Allen said the Board should consider the elimination of expansion of non-conforming uses. After further discussion, the Board requested staff and the Planning Commission review non-conforming uses and provide a recommendation to the Board. The study is to include the number of existing non-conforming uses (commercial) and the expansion that has already occurred.

It was the consensus of the Board to keep the list of projects as presented with the addition of jurisdictional areas for water and sewer and the addition of review of the M-1 and M-2 zones to the housekeeping list.

RE: MATTERS FROM THE PUBLIC

REGION TEN COMMUNITY SERVICES BOARD

Mr. David Smith, Director of the Region Ten Community Services Board, was present to introduce himself.

RE: CONSENT AGENDA

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

- a. Minutes of February 24, 2009
- b. Resolution to authorize application for funding from the Virginia Department of Health, Office of Drinking Water, for the Stanardsville Water System Improvements Project. (See Attachment "B")
- c. Resolution to authorize application for funding from the Virginia Department of Health, Office of Drinking Water, for Well No. 1 Project. (See Attachment "C")

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

Motion carried.

RE: SHERIFF'S OFFICE

Major Randy Snead said the Sheriff's Office currently has the following vacancies: three (3) dispatch positions, Operations Manager, and a deputy position. He asked approval to fill, at least, the Operations Manager vacancy and two (2) dispatch positions.

The Chairman explained that the Board has enacted a hiring freeze due to financial constraints.

Upon motion by Jeri Allen and unanimous vote, the Board authorized the Sheriff's Office to fill two (2) dispatch positions and the position of Operations Manager.

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

Motion carried.

RE: SOLID WASTE FACILITY FEES

The County Administrator reviewed proposed increases to the fee structure for the Solid Waste Facility. The recommended increases are \$50 per ton for commercial and \$56 per ton for

construction debris. There would not be an increase in the cost per bag of trash. These rates are still less than those charged by surrounding counties.

Revenue for July 1 thru December 31, 2008 totaled \$1,242,426 with expenses for the same period totaling \$1,206,002 resulting in net revenue of \$36,424. The increase in fees would help cover any equipment related expenses and capital improvement costs.

Upon motion by Carl Schmitt and unanimous vote, the Board approved the increase in Solid Waste Facility fees to \$50 per ton for commercial waste and \$56 per ton for construction debris to take effect May 1, 2009.

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

Mr. Schmitt shared information from VDOT and noted a meeting with Transportation Board member Butch Davies is scheduled for Thursday.

Mr. Schmitt also said a meeting on the Route 29 Corridor Study is scheduled on April 2 at the Albemarle County Office Building.

RE: BUDGET WORKSHOP

The Chairman said a budget workshop meeting with the School Board is scheduled for Thursday, March 12 at 3:30 p.m. in the County Meeting Room.

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RE: CONTINUED MEETING

The meeting was continued to Tuesday, March 24, 2009 at 5:30 p.m. in the County Meeting Room.

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

Steve Catalano, Chairman
Greene County Board of Supervisors

Article 12

Industrial (General), M-2

12-1-1 Uses Permitted by Right

.24 All industrial uses allowed by right in the M-1 district

12-1-2 Uses Permitted by Special Use Permit

20 Any uses permitted in an Industrial (Limited) M-1 District under Section 10-1-1 or 10-1-2 not included under Section 11-1-1 or 11-2-1.

.21 All industrial uses allowed by special use permit in the M-1 district

**RESOLUTION OF AUTHORIZATION
VIRGINIA DEPARTMENT OF HEALTH FUNDING APPLICATION**

WHEREAS, the Greene County Board of Supervisors has applied for various water projects in the County; and

WHEREAS, the Virginia Department of Health-Office of Drinking water has funded several drinking water projects in the County, and

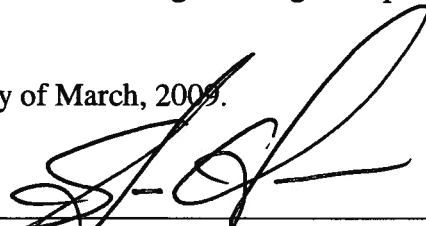
WHEREAS, the Greene County Board of Supervisors has reviewed the project planning material and found that the pre-requirements have been met for submitting an application for construction assistance to the Virginia Department of Health for the Stanardsville Water System Improvements Project which consists of the following:

- Construction of 12 inch waterline -- \$ 2,500,000
- Construction of 750,000 gallon water tank - \$ 5,000,000

NOW THEREFORE BE IT RESOLVED that the Greene County Board of Supervisors do hereby vote to seek funding from the Virginia Department of Health-Office of Drinking Water for the Stanardsville Water system Improvements Project in the amount of \$7,500,000.

BE IT ALSO RESOLVED, that the County Administrator is hereby authorized to begin the process of submitting the necessary documents for these projects and is also authorized to sign any documents required to accept VDH funding contingent upon the review and concurrence by the County Attorney.

Adopted in Open Meeting this 10th day of March, 2009.



Steve Catalano, Chairman
Greene County Board of Supervisors

Attest:



Barry J. Clark, Clerk

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

**RESOLUTION OF AUTHORIZATION
VIRGINIA DEPARTMENT OF HEALTH FUNDING APPLICATION**

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WHEREAS, the Virginia Department of Health-Office of Drinking water has funded several drinking water projects in the County, and

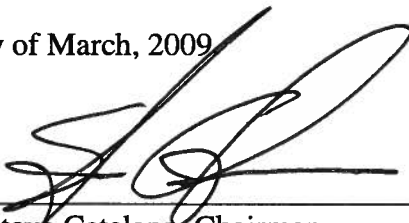
WHEREAS, the Greene County Board of Supervisors has reviewed the project planning material and found that the pre-requirements have been met for submitting an application for construction assistance to the Virginia Department of Health for the Well No. 1 Project which consists of the following:

Construction of Well No.1 - \$ 300,000

NOW THEREFORE BE IT RESOLVE, that the Greene County Board of Supervisors do hereby vote to seek funding from the Virginia Department of Health-Office of Drinking Water for the Well No. 1 Project in the amount of \$300,000.

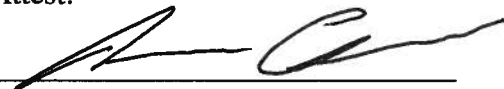
BE IT ALSO RESOLVED, that the County Administrator is hereby authorized to begin the process of submitting the necessary documents for these projects and is also authorized to sign any documents required to accept VDH funding contingent upon the review and concurrence by the county attorney.

Adopted in Open Meeting this 10th day of March, 2009



Steve Catalano, Chairman
Greene County Board of Supervisors

Attest:



Barry J. Clark, Clerk

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