

November 10, 2009

County of Greene, Virginia

THE REGULAR MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, NOVEMBER 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:**

- Water and Sewer

**Economic Development**

- Economic Prospect

**Land Acquisition:**

- Water and Sewer

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: SERVICE AWARDS

Mr. Julius Bates, Director of Parks and Recreation, presented a certificate to Lowe's Volunteers for work at the Community Park.

The Chairman presented the following employee service awards:

Wilson E. Lamb, Jr.	-	five years
Allen W. Morris	-	fifteen years
Robert L. Beverage	-	twenty years

RE: PUBLIC HEARING – AMEND COUNTY CODE – DOGS RUNNING AT LARGE – R-1, R-2, SR, PUD, B-1, B-2, B-3, M-1, M-2 ZONES AND COUNTY OWNED PROPERTY

Mr. Ray Clarke, County Attorney, reviewed the proposed amendment which would prohibit dogs from running at large in areas zoned R-1, R-2, SR, PUD, B-1, B-2, B-3, M-1, M-2 and County owned property in addition to areas previously approved.

Areas zoned **Agricultural (A-1)** or **Conservation (C-1)** are not included. There is no distinction made between hunting and non-hunting dogs. A leash ordinance does not mean an animal must be tethered on a physical leash. A dog shall be deemed to run at large while roaming, running or self-hunting off the property of its owner or custodian and not under the owner's or custodian's immediate control. If the dog is voice commanded, it is on a "leash". Mr. Clarke noted hunting is prohibited in residential, business and commercial areas.

This amendment does not preclude anyone from requesting a specific area of the County be included in the ordinance and expands the provision in more populated, congested areas.

The Chairman opened the floor for public comment.

Mr. Tom Burgess spoke in support of the proposed amendment. Mr. Bryan Vonn expressed concern over certain large breeds of dogs being allowed to roam freely but also said he would hate to see well behaved dogs locked up. Mr. Billy McMullen also spoke in support of the proposed amendment and suggested it be county-wide.

The public hearing was closed.

Mr. Peyton said he has received emails and calls regarding dogs running at large primarily in residential zoned areas. One complaint is that Animal Control Officers can't do anything but this amendment would give authority to ACOs to take action.

Mrs. Allen said she too has had a lot of communication from citizens concerned about children, the elderly and runners. She felt this makes a great deal of sense in densely populated areas. Enabling the subdivisions to petition for a leash law is appropriate at this time. She did not know how to ask farmers/hunters to have constant control over their animals and felt the County might have to go back to address that again at a later point.

Mr. Skeens said he was very pleased with this option. He expressed concern about the A-1 and C-1 zones also and said the Board has not been able to figure out how to do it and make everyone happy.

Mr. Schmitt noted he lives in an A-1 zone and felt some control in high density areas is appropriate.

The Chairman said the A-1 and C-1 zones present a huge challenge to try to legislate fairly and not overburden the ACOs. He noted that geographic areas, not just subdivisions, can petition for a "leash law".

Upon motion by Carl Schmitt and unanimous vote, the Board approved the amendment as proposed to the Greene County Code, Article II, Animal Control – by amending Division 2 – Section 14-61 to include the areas zoned R-1, R-2, SR, PUD, B-1, B-2, B-3, M-1, M-2 and County owned property in addition to areas previously approved. (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

CHAMBER OF COMMERCE

Mr. Robert Morris was present to invite the Board to take part in the parade of lights on December 5 at 6:00 p.m. in Stanardsville.

Mr. Morris also said Ms. Nora Gillespe, of the Central VA Small Business Development Center, will continue with the program in Greene County with the assistance of funding from the Chamber of Commerce.

Mr. Morris also spoke on the grand opening of the Visitor Center and noted the new web site (cometogreene.com) is up and running.

AMERICAN LEGION

Mr. Norman Slezak noted the American Legion will be holding their Veteran's Day ceremony tomorrow at 11:00 a.m. rain or shine.

RE: CONSENT AGENDA

Upon motion by Mike Skeens and unanimous vote, the Board approved the consent agenda as follows:

- Minutes of October 27 meeting.
- Resolution to accept and discontinue portions of Route 624 (at the intersection with Route 810) in the State Secondary Road System due to redesign of intersection. (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

VIRGINIA EMPLOYMENT COMMISSION

The Chairman said he was contacted by Bob Smith, from VEC, regarding the VA Unemployment Extension Services Program. This program is funded through stimulus money. Mr. Smith is planning to be in the County at 1:00 p.m. on Thursdays at the Library.

WALMART

The Chairman read a press release regarding the groundbreaking ceremony for Walmart on Friday, November 13, at 2:00 p.m. with heavy construction to start soon after.

VISITOR CENTER

Mrs. Allen commented on the recent grand opening of the Visitor Center in Ruckersville.

BROADBAND

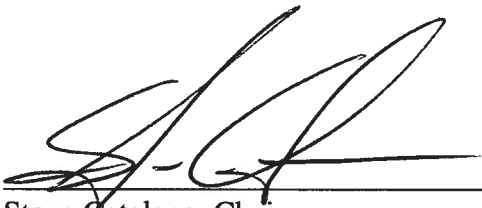
Mr. Schmitt reported on a recent meeting regarding broadband. The package is coming together very nicely.

ENERGY AUDIT

Mr. Schmitt noted the energy efficiency block grant for the schools was submitted.

RE: ADJOURN MEETING

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



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Steve Catalano, Chairman  
Greene County Board of Supervisors

DIVISION 2. DOGS

*Subdivision I. In General*

**Sec. 14-61. Running at large.**

(a) Dogs may run at large within the county unless expressly prohibited from running at large as provided in this section, which provisions are hereby adopted pursuant to the authority of Code of Virginia, § 3.1-796.93, as amended. For the purposes of this division, a dog shall be deemed to run at large while roaming, running or self-hunting off the property of its owner or custodian and not under the owner's or custodian's immediate control. Any person who permits his dog or a dog under his control to run at large or remain unconfined, unrestricted or not penned up during such time as the running at large of dogs is prohibited under the provisions of this division shall be deemed to have violated the provisions of this section.

(b) The running at large of a female dog in season is prohibited, and such dog shall be confined in a place inaccessible to a male dog unless the owner or custodian of the female intentionally, or under his supervision, breeds the female dog to a specific dog.

(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

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.



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

## RESOLUTION

November 10, 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 November 10, 2009.

A Copy Teste:

  
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Barry J. Clark                      11-10-09  
County Administrator              Date

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