

September 8, 2009

County of Greene, Virginia

THE REGULAR MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, SEPTEMBER 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  
Tracy Morris, Finance Director

**RE: EXECUTIVE SESSION**

Upon motion by Carl Schmitt 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:**

- Maintenance
- Water and Sewer

**Land Acquisition:**

- Water and Sewer

**Legal:**

- Potential Litigation

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: LAND USE AND TRANSPORTATION PLANNING**

Mr. Steve Williams, Executive Director of the Thomas Jefferson Planning District Commission, gave a short presentation on his experience in dealing with the impacts of rapid growth on land use and transportation.

Mr. Williams said his belief is that the purpose of the Planning District Commission is to serve the needs of the member governments and help them achieve their goals.

Mr. Williams spoke on the rapid growth in southern New Hampshire where he worked for seven years. Among his suggestions of how things could have been handled better in southern New Hampshire were:

- Build a consensus of what the community will be and stick to it.
- Plan transportation system now and stick to it.
- Plan for paying for that transportation system from local resources.
- Use a zoning code based on mixed uses and mitigating off-site impacts.
- Put policies in place to protect open space, environmental resources and agriculture.
- Plan for parks now. Parks are one of the greatest public amenities and are cheapest when you get the land up front.
- Regulate visual clutter.

Board Member Jeri Allen asked Mr. Williams how involved he has been in the review of the County's Comprehensive Plan. Mr. Williams said he has worked on some particular issues and noted he worked more with the Multimodal Study.

Mr. Williams answered several questions posed by the Board and discussed the actions taken to correct mistakes.

The Chairman said he was particularly frustrated with the technical support from VDOT and felt the Route 29 situation was really created by VDOT as they were making recommendations on projects.

Mr. Williams also noted a request for proposals has been advertised for the broadband project. Proposals are due by September 16<sup>th</sup>.

Mr. Williams also reported on a regional project for stimulus funding to assist local governments to improve energy efficiency.

RE: GREENE COMBINED COURTS

The Board had requested written documentation on policies from both the Greene Combined Court Office and the Sheriff's Office regarding tickets. This item was tabled until such time as written policies and procedures are received.

RE: MATTERS FROM THE PUBLIC

DOGWOOD VALLEY SUBDIVISION

Ms. Cynthia Lambert, resident of Dogwood Valley Subdivision, was present to request any assistance available from the County in regards to the roads in the subdivision and bringing those roads up to VDOT standards. Ms. Lambert said she is physically disabled and the roads need to comply with the Americans with Disabilities Act. She said public safety is compromised and the residents need affordable, safe, and accessible homes. She asked if there are stimulus funds available to improve roads.

Mr. Marshall Wallace and Mr. Lyle Dussault, residents of Dogwood Valley, also spoke about the treacherous condition of the roads in Dogwood Valley.

The Chairman said the Board is aware of the situation, which is not uncommon in rural subdivisions that were developed in the late 60's to the early 70's. Homeowner associations are responsible for maintenance of those private roads. Mr. Catalano said the County does not own or maintain any roads. The Virginia Department of Transportation maintains public roads.

Ms. Lambert asked if there is a legal homeowners association for Dogwood Valley Subdivision. The Chairman said the Board could not comment on that issue.

Mrs. Lambert asked how one could go about changing a homeowners association. Mr. Ray Clarke, County Attorney, advised Mrs. Lambert to consult an attorney.

Mr. Clarke went on to explain that there are a lot of things the government cannot do such as dictate how a person's home has to be maintained or the maintenance of private roads. He said he has advised Board members not to respond to certain comments or questions because they will be sued. Mr. Clarke said the people who live in the subdivision need to work out how to deal with the roads.

The Chairman used Greene Acres Subdivision as an example of the way a homeowners association can and should work. There was a problem with the dam at the lake and the association pulled together to fix it.

Mr. Clarke noted there is a toll free number in the phone book for attorney referrals.

PIEDMONT ENVIRONMENTAL COUNCIL

Ms. Jenny Dietzel, Piedmont Environmental Council, invited members of the Board to the annual meeting at the David & Trish Crow farm in Madison.

RE: CONSENT AGENDA

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

- a. Minutes of August 25, 2009 meeting.
- b. Resolution authorizing the application for State Aid to Public Transportation. (See Attachment "A")

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

Motion carried.

RE: REVENUE ANTICIPATION NOTE

The Chairman noted the County did not borrow money during the past fiscal year. The County Administrator said one advantage in having the line set up would be the time involved in securing the loan if and when funds are needed.

After discussion, the Board directed staff to proceed with necessary steps for the Revenue Anticipation Note.

RE: OTHER MATTERS FROM THE BOARD

ENERGY EFFICIENCY

Mr. Schmitt noted the energy audit is underway and should be completed by mid-October.

RE: CONTINUED MEETING

The meeting was continued to Tuesday, September 22, 2009 at 5:30 p.m. in the County Meeting Room.



---

Steve Catalano, Chairman  
Greene County Board of Supervisors

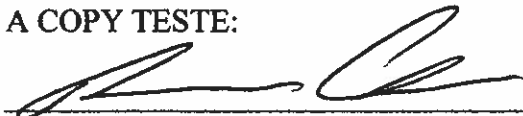
**RESOLUTION AUTHORIZING THE APPLICATION FOR  
STATE AID TO PUBLIC TRANSPORTATION**

BE IT RESOLVED by the Greene County Board of Supervisors that the Transit Manager is authorized, for and on behalf of the Greene Co. Transit, Inc., hereafter referred to as, the **PUBLIC BODY**, to execute and file an application to the Department of Rail and Public Transportation, Commonwealth of Virginia, hereafter referred to as, the **DEPARTMENT**, for a grant of financial assistance in the amount of \$97,869 to defray the costs borne by the **PUBLIC BODY** for public transportation purposes and to accept from the **DEPARTMENT** grants in such amounts as may be awarded, and to authorize Transit Manager to furnish to the **DEPARTMENT** such documents and other information as may be required for processing the grant request.

The Greene County Board of Supervisors certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the Code of Virginia that the **PUBLIC BODY** will provide subsequent matching state-aid funds, which will be used as required in such Act, that the records of receipts of expenditures of funds granted the **PUBLIC BODY** may be subject to audit by the **DEPARTMENT** and by the State Auditor of Public Accounts, and that funds granted to the **PUBLIC BODY** for defraying the expenses of the **PUBLIC BODY** shall be used only for such purposes as authorized in the Code of Virginia.

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

A COPY TESTE:



Barry Clark, Clerk  
Greene County Board of Supervisors