

August 10, 2010

County of Greene, VA

THE REGULAR MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, AUGUST 10, 2010 AT 5:30 P.M. IN THE COUNTY MEETING ROOM.

Present were: Steve Catalano, Chairman  
Clarence Peyton, Vice Chairman  
Jim Frydl, 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
- PVCC

**Land Acquisition:**

- Water and Sewer

**Legal:**

- None

**Personnel:**

- Constitutional Officers
- Administration

**Various Appointments:**

- Culpeper Soil and Water Conservation District

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	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
	Jim Frydl	-	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
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

**RE: PUBLIC MEETING**

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

**RE: PERSONNEL PLAN**

Mr. John Anzivino, of Springstead Inc., was present to discuss the County Personnel Plan. He reviewed a brief history of the process and noted policies addressing cell phones, service animals, and no smoking in county facilities are included.

Mr. Anzinvo addressed a list of points regarding the time frame for review of the policy by employees, scope of the plan, promotion/demotion, overtime and compensation, exempt employees, holiday pay, annual leave, reimbursement for sick leave, health insurance, termination of employment, reimbursement procedure for cell phones, and the process for evaluations.

Employees will be allowed two work hours to review the Plan. Constitutional offices can execute an agreement if they want to participate in the County Plan. The promotion/demotion of an employee effectively changes their evaluation date but their hire date remains the same. Exempt employees would include, but not be limited to, County Administrator, Deputy County Administrator, Finance Director, Human Resources, etc.

Mr. Anzivino said he would check the accrual rates for annual leave and would review the policy in regards to part-time employees.

It was the consensus of the Board to increase the payout for sick leave at \$15 per day up to a maximum of \$5,000.

The County does not pay 100% of the health insurance premium for employees.

Mr. Anzivino said training for supervisors in regards to the process for evaluations needs to be provided and forms should be redeveloped. A sample will be sent to the County Administrator. He reviewed the performance evaluation of employees and said supervisors need to understand their role.

Mr. Peyton asked if stated goals and quarterly reviews are appropriate. Mr. Anzivino said stated goals are good and there should be a continuous dialogue throughout the year so there are no surprises for the employee or the supervisor.

Mr. Schmitt said the County needs to be careful in setting goals for employees as priorities can shift constantly. Mr. Anzivino said it is up to the County Administrator and management team to set measurable goals for employees.

Mr. Frydl said it is not fair to employees to continually change expectations. Job descriptions need to be key. The County Administrator, as the spokesperson for the Board, will ensure employees are performing their assigned duties. Would rather see specific goals based on job classification administered by the County Administrator with as few changes as possible. Mr. Anzivino said goals are generally job specific but there can be broader goals.

Mr. Frydl felt Board members probably do not have a real good concept of the day-to-day activities that are performed in each department. We need a strong County Administrator in support of staff and a strong structure in place for employees to make sure all departments are operating efficiently.

Mr. Anzivino said job descriptions have been developed with the employee participation, review by supervisors, management team and the Board. Descriptions should be current but may change a bit over time.

The County Administrator asked about the time frame for evaluations. Mr. Anzivino explained the process using "batch dates" and anniversary dates. He prefers anniversary dates. There are pros and cons to either method.

Upon motion by Carl Schmitt and unanimous vote, the Board adopted the Personnel Plan as reviewed with changes as noted.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

Mr. Anzivino reviewed the process in formulating job descriptions.

Mr. Frydl said a lot of time was spent on the job descriptions and they are only as useful as the County makes them. They should be accepted with the understanding that there will be an evaluation process to refine. It should be the expectation and understanding that the County Administrator speaks with the full confidence and support of the Board in implementing these and making sure they are followed.

The Chairman thanked Mr. Anzivino for his presentation.

**RE: DISCUSSION OF PROPOSED BY LAWS**

Mr. Schmitt distributed copies of suggested revisions to the proposed bylaws. He noted the Board adopts Rules of Order each year. He suggested a workshop meeting be scheduled to review the proposed bylaws.

Mr. Frydl said the Rules of Order are how meetings are conducted. The bylaws are how the Board members would conduct themselves. The bylaws have incorporated some of the Rules of Order.

The Chairman said he had six points for discussion and clarification.

- The Board appoints members to serve in liaison roles.
- Roberts Rules – yields to County Attorney
- Adoption of agenda is clumsy as is motion to adjourn.
- Time for speakers sets a minimum and should be left to discretion of Chairman.
- The Chairman can speak on behalf of the Board if speaking on the majority position.

Mr. Frydl said the goal is to have a code of conduct for members to act as a Board. The Board should work with the County Administrator, who is the spokesperson for the Board, as opposed to working individually. Individual members of the Board should not give directions to County staff. There is a difference between communicating or asking questions of County staff as opposed to taking on the role of county staff supervisor. The County Administrator acts on the Board's behalf to implement actions. In regards to the Personnel Plan, if the Board bypasses the County Administrator then it lessens the impact of the Plan. These issues need to be worked out if the County is going to work effectively and efficiently.

Mr. Schmitt felt the line should not be drawn so tight that members of the Board can not get business done. He felt Board members should be able to call staff if they have questions and noted the liaison function of members would require time for conversation. Time limits would be much too restrictive.

Mr. Frydl said the time limit would affect requests by members that have not been discussed by the Board as a whole. Board should act as a whole or at least a majority.

The Chairman said there should be some "wiggle room" for liaison functions. It was noted there is a difference between acting as a liaison and as a member of the Board of Supervisors. Requests by Board members can put employees in an "odd ball position".

It was the consensus of the Board to schedule a workshop to discuss bylaws on September 28 at 4:30 p.m.

RE: ENERGY PERFORMANCE CONTRACT

Mr. Neil Chambers and Mr. Garrett Raper, of Ameresco, were present to discuss the results of the recent energy audit of County buildings. A countywide audit has been performed. The audit has narrowed scope items for a firm pricing phase and final consideration. The audit uncovered:

- Project scope items related to needs assessment for efficiency and comfort
- Project savings associated with implementation
- Project pricing by contractors

Mr. Chambers reviewed the preliminary scope of the project, pricing and savings to insure long term sustainability of Greene County's facilities' needs and goals. Mr. Schmitt, the County Administrator and Finance Director were on the committee for this project.

The five energy conservation measures include:

- Lighting system improvements
- Water conservation measures
- Control upgrades
- HVAC equipment replacement/controls upgrade – Co. Adm. Bldg.
- HVAC equipment replacement – County Annex 2

Mr. Raper said some of the measures would include the installation of low water usage toilets and sinks; subdividing the County Administration Office Building into zones which would install more control points so systems would provide a more basic level of occupant comfort; and replacement of heat pumps which are beyond their useful lives.

Mr. Skeens asked about the warranty for equipment. Mr. Raper said Ameresco would handle warranty issues for the first year and noted any HVAC contractor should be able to service the equipment.

Mr. Chambers reviewed the project impact as follows:

- Implement \$275,577 of infrastructure renewal
- Reduce utility and operating costs \$37,152 over 15 year term
- Enhance the County's overall comfort environment
- Enhance conditions of the County buildings
- Improve environmental conditions
- Improve maintenance and operation of the facilities
- Preserve capital funds
- Reduce the green house gas (GHG) emissions

Next steps include:

- Delivery of final detailed engineering audit
  - Describes projects in-depth
  - Includes equipment information and cut sheets
  - Includes energy savings calculations
- Agree on final scope of work
- Committee approval
- Select most favorable financing
- Negotiate terms and conditions of ESA (contract)
- Execute ESA and finance documents

Mr. Raper said Ameresco will make an on site visit annually to assure savings. The guaranteed savings is in units of energy.

The Chairman questioned the 15 year term noting the average life cycle of HVAC units would be tapped out in that time frame. Mr. Raper said he would predict the equipment would last longer than 15 years but admitted it would be hard to say definitely.

Mr. Chambers said the County could use capital improvement funds instead of borrowing the money for improvements.

In response to a question from Mr. Skeens, Mr. Chambers said the savings will be known through the measurement and verification process. This is the same process the school system will be using.

Mr. Schmitt said the HVAC units will have to be replaced anyway as the equipment is worn out. With the County and the Schools projects, the County will have made a giant leap in energy efficiency which will save money particularly when rates increase. The County's carbon footprint will also decrease.

Mr. Peyton questioned the cost of financing. It was noted the figure includes the cost of issuance, lawyer's fees and interest during construction for a total figure of \$292,000.

Mr. Schmitt suggested moving forward with execution of the contract.

The Chairman felt the Board should review the 15 year financing term.

It was noted the Finance Director will track the energy savings. Mr. Chambers said changes in the number of employees, computers, etc. can affect energy usage.

It was the consensus of the Board to proceed with this project. The County Administrator and Finance Director will be the contacts.

**RE: RIVANNA RIVER BASIN COMMISSION – STORM WATER GRANT PROJECTS**

Ms. Leslie Middleton, Executive Director of the Rivanna River Basin Commission, was present to discuss a grant from the National Fish and Wildlife Association (NFWF) to support a study by the Center for Watershed Protection that will identify sites owned by Greene County that could be retrofitted to include storm water best management practices (BMPs). The grant focuses on ways to more effectively manage storm water particularly in respect to reducing sedimentation and nutrients that enter receiving streams.

The study is underway with field evaluations to increase the understanding of the methodology and benefits of retrofitting. Mr. Schmitt and Mr. Frydl participated in the field evaluations conducted on July 22. The survey of County facilities included the high school, middle school, elementary school, and library facilities.

The Center for Watershed Protection can also act as consultants to the Greene County School Board in respect to upgrades to athletic fields. Using funding received from the EPA, they can provide technical support in management of storm water.

Ms. Middleton said Mr. Dan Ratzlaff and Mrs. Stephanie Golon serve on the River Basin Technical Advisory Committee. The Committee is working on project components at the Greene County Community Park with Mr. Julius Bates, Director of Parks and Recreation, Mrs. Golon, and Mr. Bart Svoboda, Zoning Administrator.

The VA Tech Community Design Assistance Center is reviewing the Park site and the master plan for the Park to aid in planning for storm water management.

Ms. Middleton said staff and approximately 50 volunteers planted 400 trees and shrubs along an eroding slope above the soccer fields at the Park. The vegetation will help stabilize the slope as it grows, thus preventing dirt from washing off and down the drainage swales to the stream. RRBC is also providing educational signage for the entire project to showcase how the work at the Park will help protect the Rivanna River and its upstream tributaries. Also, small demonstration projects such as rain barrels, pervious pavers, etc. will showcase available technology.

The Technical Committee identified storm water issues at the Park and collectively the decision has been made to fix these problems using grant funds. The CWP has also designed a large biofilter to capture runoff from soccer fields and some of the parking lot. This biofilter is specially designed so that runoff is slowed down and absorbed by the soil and underlying gravel while native plants on the surface absorb excess nutrients and sediment that washes off the fields and lot. The comfort station needs to be constructed as the bioswale will be downhill from that site.

Ms. Middleton said there is a possible grant opportunity through the Perry Foundation which funds primarily brick and mortar projects. The deadline is September 1 and a proposal has been drafted asking for approximately \$70,000 to make up the difference between what the County has and what is needed to construct the comfort station. Permission is being requested to move forward with grant proposal.

Mr. Schmitt said the County has \$20,000 from the harvesting of trees at the Park, \$3,700 from cash proffers and private donations of \$17,000 for a total of \$40,700 available for this project. The Finance Director said funds are carried over from last year.

Ms. Middleton said Luck Stone is marketing a dirt mixture product for bioswales that is particularly suited for the absorption and infiltration of storm water. As the scope of the project has changed, it would benefit all if some donated materials could be obtained for the bioswale. It would be helpful to have a letter of support from Greene County to be included in the request being submitted directly to the corporate office.

It was the consensus of the Board to move forward with this request.

**RE: MATTERS FROM PUBLIC**

**BULL YEARLING AND SADDLEBACK ROADS**

Mr. Carl Pagter, Judy Pagter and Ron Sparacino were present to request the Board’s assistance with ongoing problems with littering and speeding on Bull Yearling and Saddle Back Roads. The residents suggest a maximum posted speed limit of 15 mph. They believe a single residence is responsible for the intentional dumping of garbage. When complaints are filed with the Sheriff’s Office, they are told nothing can be done unless the person is photographed actually dumping trash.

The Board instructed staff to contact VDOT regarding the speed limit and the Sheriff’s Department regarding littering. Staff will also investigate intentional dumping violations. It was noted school bus service has been discontinued on this road.

**SOCIAL SERVICES**

Mr. James Howard, Director of Social Services, requested authorization to fill a vacant position.

Upon motion by Carl Schmitt and unanimous vote, the Board authorized Mr. Howard to fill the vacant position of benefit program specialist.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

**PERSONNEL PLAN**

Mr. Howard said the Social Services Department follows the County compensation plan and grievance policy but follows the State policies for personnel in regards to other areas. The County Administrator, Finance Director and Mr. Howard will review personnel policies as they pertain to the Social Services Department.

**RE: CONSENT AGENDA**

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

- a. Minutes of July 27, 2010 meeting

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: JABA

It was the consensus of the Board to approve a resolution in honor of JABA's 35<sup>th</sup> anniversary.

RE: VEHICLES

It was the consensus of the Board to authorize the Finance Director to proceed with the financing of vehicles for the Sheriff's Department at 3.2% for 3 years.

RE: CANCELLED MEETING

The Chairman noted the meeting scheduled for August 24 has been cancelled. The next meeting of the Board will be on September 14.

RE: OTHER MATTERS FROM THE BOARD

SCHOOL PROJECTS

Mr. Frydl said the first public presentation of the school facilities project will be on Tuesday, August 17 at 7:00 p.m. at William Monroe Middle School.

TMDL REGULATIONS

Mr. Schmitt said a meeting on the TMDL regulations will be held on September 8 at 8:30 a.m. in Charlottesville. Mr. Catalano and Mr. Frydl will try to attend.

STAR

Mr. Schmitt said a letter was sent from the Town of Stanardsville to RSA requesting RSA consider replacing water lines in the three block area where the streetscape project is planned.

TJPDC

Mr. Schmitt said the TJPDC approved a resolution of support for the USDA loan application for the schools facilities project.

FENCE ORDINANCE

The County Administrator said Greene County is a fence in county which means lot lines are considered legal fences as are streams. There is liability if an animal crosses a line and does damage. Based on this law, a person would have to put up a fence to keep animals out of their property.

Mr. Clark said Augusta County, under their Animal Control Ordinance, has made it illegal for domestic animals to roam free and a fine is associated with that offense.

Mr. Clark will confer with Animal Control as to the logistics of enforcement.

**RE: EXECUTIVE SESSION**

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• **Constitutional Officers**

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	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
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

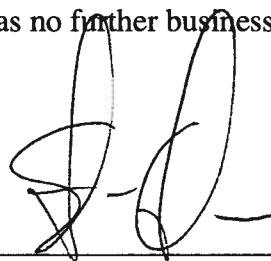
By unanimous vote, all members certified that only public business matters lawfully exempted from the Open Meeting requirement and only such matters as identified by the motion to enter into Executive Session were discussed.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

**RE: ADJOURN MEETING**

The meeting was adjourned as there was no further business.



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Steve Catalano, Chairman  
Greene County Board of Supervisors