

January 12, 2010

County of Greene, Virginia

THE REGULAR MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, JANUARY 12, 2010 AT 4:00 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: WORKSHOP WITH SCHOOL BOARD

The Board of Supervisors and School Board met to discuss the FY 2010-2011 budget.

The School Board presented a budget information overview that included the following:

- Governor Kaine's proposed budget reduces state funding for the Greene County Public Schools by \$698,595 (assuming current enrollment holds "flat" at 2,750); holds the Composite Index flat; and eliminates Technology VPSA funds which reduces the division technology operations budget by \$232,000.
- 1 step increase for staff equals \$241,169
- 2 step increase for staff equals \$493,624
- Some roof sections at William Monroe High School must be replaced in the next fiscal year. Preliminary estimates range from \$350,000 to \$500,000 depending on the roofing system and warranty.
- Assessment values have been increasing 11.25% per year on average since 2004 while local funding for education has increased 3.5% on average per year.
- Greene County Public Schools has dropped from 10% below the state average in per pupil expenditure (PPE) to 13.5% below the state average on the most recently published Department of Education Superintendents Annual Report.
- School administration has identified \$300,000 in possible budget reductions for FY 2011 that could primarily be achieved by restructuring programs and not back-filling select vacancies. However, some of these cuts directly impact classrooms and students. Reductions in staff in previous budget cycles have created a situation where additional cuts going forward will have a more direct impact on students.

- From FY 2002 through FY 2009, the Schools have made a net positive contribution to year end reserve totaling \$1,045,644.
- Assuming the proposed VRS holiday holds for the last quarter of FY 2010, the Schools should not need to request a supplement for additional federal funding in FY 2010 and will carry forward \$300,000 to \$400,000 in federal funds for FY 2011.
- The energy performance contract will address the chiller replacement at WMHS.

The unknown issues include:

- Governor McDonnell's proposed budget which could be radically different than Governor Kaine's proposal.
- Health insurance increase for FY 2011. Current trend for industry at 100% utilization is 15% which would be approximately \$330,000.
- Grant application results for funding to cover roof replacement and window replacement at WMHS in conjunction with energy performance contract initiative..
- Local revenue picture.

School Board member Darcy Higgins spoke regarding proposals for the athletic facilities.

In response to a question regarding anticipated revenue from the State and the County's financial position, the Chairman said the State budget cuts to constitutional offices are among other adjustments that were in the Governor's budget and will be considered by the General Assembly. He noted a memo was sent to County departments to submit "flat" budget requests along with a contingency plan for 5% and 10% reductions.

RE: PUBLIC SESSION

The Chairman opened the public session.

RE: ELECTION OF CHAIRMAN AND VICE CHAIRMAN

Upon motion by Clarence Peyton and unanimous vote, the Board elected Steve Catalano as Chairman for calendar year 2010.

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

Motion carried.

Upon motion by Mike Skeens and affirmative vote, the Board elected Clarence Peyton as Vice Chairman for calendar year 2010.

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

Motion carried.

**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
- Facilities
- Grant – Sheriff’s Office
- Vehicles – Sheriff’s Office

**Land Acquisition:**

- Water and Sewer

**Legal:**

- None

**Personnel:**

- Administration

**Various Appointments:**

- Social Services Board
- Equalization Board
- Piedmont Workforce Network Board
- Thomas Jefferson Area Community Criminal Justice Board
- JABA
- Agricultural and Forestal District Committee
- Economic Development Authority

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: APPOINTMENTS TO THE PIEDMONT WORKFORCE NETWORK BOARD AND RIVANNA RIVER BASIN COMMISSION

Upon motion by Carl Schmitt and unanimous vote, the Board reappointed Mr. Willis Logan to the Piedmont Workforce Network Board and appointed Mr. Jim Frydl to the Rivanna River Basin Commission.

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

Motion carried.

RE: APPOINTMENT TO THOMAS JEFFERSON COMMUNITY CRIMINAL JUSTICE BOARD

Upon motion by Jim Frydl and unanimous vote, the Board reappointed Mr. Ron Morris to the Thomas Jefferson Community Criminal Justice Board.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	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: QUARTERLY MEETING WITH VDOT

Mr. Allan Sumpter, VDOT Resident Administrator and Mr. Joel Denunzio, VDOT Staff Engineer, were present.

Mr. Sumpter reviewed the following projects:

- Route 634 – Mutton Hollow Road – Project has been scheduled for an aerial survey this winter. Data collected will allow engineering staff to better establish the limits of the watershed and determine the appropriate hydraulic requirements necessary for the project.
- Reviewed maintenance work completed and planned.
- Approval for speed limit reductions on Route 810 and Route 670.
- Route 230 – speed zone step down still being reviewed.

Mr. Schmitt asked about the snow removal. Mr. Sumpter said snow removal in Greene County was better than in other areas.

Mr. Denunzio reported on the Route 607, Matthew Mill Road, project. A design consultant has completed an analysis of this route from the intersection of Route 29 to Route 670 (Preddy Creek Road). Recommendations include short and long term improvements to Route 607 from the intersection with Route 29 just beyond the intersection with Route 670. The study recommended additional lanes and a signal at the intersection of Route 607 and Route 670.

Long term improvements include widening Route 29 to six lanes and increasing the northbound and southbound left turn lanes to include dual left turns. In addition to the improvements, the study recommends additional outlet points on Route 29 to relieve the existing Route 607/Route 29 intersection and good access management practices for future development.

Mr. Denunzio said preliminary estimates for the short term improvement is \$4 to \$5 million. Estimates for the long range improvements are not available at this time.

The Route 29 Corridor Study was considered during the analysis.

Mr. Schmitt questioned funding for this project. Mr. Sumpter said approximately \$1 million has been allocated for this project. Any phasing of project that would make sense? Haven't really gotten that far into the project yet.

No comments from the public.

In response to a question from Mr. Schmitt, Mr. Sumpter said a project had been planned to lengthen the turn lane at the intersection of Route 29/Route 33 but has been delayed.

RE: ECONOMIC DEVELOPMENT AUTHORITY

Mr. Tony Williams, Director of the Economic Development Authority, gave a presentation on the EDA's new website. The update is not for just the business community but all users. Suggestions for updating the County website were included.

Design strategies included:

- Keeping the layout simple to improve the ease of navigation for all users.
- A simple menu system
- Coordination of updates on a regular basis with each department responsible for their own content.

- A home page featuring important news items, upcoming community events, etc., to draw users into the site.

Site consultants, business owners, etc. research and identify communities mainly through websites. Often local, websites can attract potential clients by marketing community assets that link up to needs. The web has become the top medium to effectively support the tasks necessary to attract business investment.

The proposal for the County's website includes:

- Create a layout which mirrors the EDA and Tourism sites, with its own unique color scheme.
- Pull and organize most of the information on the home page into a menu system for easy browsing of the site.
- The EDA is offering to facilitate the upgrade process and the maintenance of the site.

Mr. Dale Herring, Director for Greene County Public Schools, said a lot of citizens are still on dialup access. The web site needs to be quickly accessible for citizens. A test he conducted of the EDA site took more than four minutes to run, mainly due to the graphic intensive content.

Mr. Herring agreed that the County website needs to be updated and noted such updates should be done on a periodic basis. He suggested the County look at updating the website but not as graphic intensive as the EDA's.

Mr. Herring said the website itself should be maintained in-house. The County could look for a better design elsewhere and the software needs to be upgraded as time progresses.

Mr. Chad Denby, Web Designer, is a local resident and is on the Chamber of Commerce Board of Directors. He also agreed that the site needs to be updated. The site he designed would be easy for all departments to update using the Dream Weaver program. In regards to the download time, the County website would not have to have all the graphics like the EDA or Tourism sites. Mr. Denby said the County site would be easy to set up as the template has already been completed.

Mr. Skeens asked about the EDA picking up the cost. Mr. Williams said the Board of Supervisors has already allocated the funding to the EDA for this project. The budgeted amount is \$10,000.

Mr. Peyton said Greene County is primarily dialup access. He felt the primary user for the EDA site would be outside of the County and would probably have faster access.

Mr. Herring reiterated his comments about the website being used by citizens.

Mr. Peyton asked about the possibility of developing a website in-house. Mr. Herring said it would take time. Staff developed a site about a year ago and has been waiting for direction.

Mr. Williams said the County site would definitely be less graphic intensive and more user friendly for citizens. The gateway page and the template have been created.

Mr. Clark felt businesses will look at the County website in addition to the EDA/Tourism sites. He said the County needs to "put its best foot forward" to attract businesses.

The Chairman said the central point of the discussion is that the website needs to be upgraded. Funds are already appropriated for staff to do this in-house. He said the EDA and Tourism sites look great but staff should develop site for the County. Mr. Skeens agreed.

Mr. Williams suggested the County could benefit from a professionally designed website. Mr. Schmitt questioned that County staff could provide the design service.

Mr. Herring suggested staff be given the opportunity to design a website. Mr. Williams said he was looking at this from the marketing point of view, in getting the site out there quickly to attract companies to the community.

Mr. Schmitt asked about a cost estimate. Mr. Williams said most of the work has been done. Estimated cost for software is \$50.

Mr. Schmitt said the County site would be consistent with the other two sites. Mr. Denby estimated \$500 to \$600 to develop site. Training of staff would have to be done on a case by case basis.

The EDA would like permission to help the County upgrade and maintain their website. The funds for the upgrade have already been allocated by the EDA Board.

Upon motion by Mike Skeens and affirmative vote, the Board agreed to have staff develop a new website in-house.

Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	No
	Mike Skeens	-	Yes

Motion carried.

RE: MATTERS FROM THE PUBLIC

Skyline CAP

Ms. Kim Frye Smith, Executive Director, and Mr. Jack Naylor, Housing and Community Programs Manager, were present.

Ms. Smith gave a brief summary report on activities of the agency. She noted their name has been changed to Skyline Community Action Partnership.

Skyline CAP applied and was approved as a Community Housing Development Organization (CHDO). The designation allows Skyline CAP to receive the Greene County CHDO set-aside funds under the HOME Program through TJPDC in the 6 year rotation of funding.

Ms. Smith reviewed the Toms Road Project, which replaced severely substandard homes without indoor plumbing on Morton Lane, and the Jack Russell Project, which includes renovation of three existing housing units to create affordable rental housing for senior and/or disabled households.

Skyline CAP also offers programs for first time home buyers, indoor plumbing/rehab, housing counseling, emergency home repair, etc. The Head Start Program provides preschool and family support services for 36 three and four year old at risk and special needs children in Greene County. There are two modular classrooms on site near the Greene County Primary School and transportation is provided for Head Start children.

STAR

Mr. Roy Dye, Executive Director of STAR, gave a brief update on projects and activities. A contract engineer has been selected for the project and they are waiting on VDOT to conduct a

pre-award audit. They hope to do the crosswalks this summer while school is out. The project is to make the Town more walkable and improve pedestrian safety.

In regards to the streetscape project on Main Street, Mr. Dye noted there are problems with the water and sewer lines. STAR is pursuing funding to proceed with the project. There was a meeting with several agencies who might offer funding support last Friday. The meeting was sponsored by Congressman Perriello's office.

The application for CDBG grant funding through Department of Housing and Community Development is due at the end of March. This funding would allow for façade improvements on Main Street.

Mr. Dye noted office space has been donated by EDA and STAR will remain at its current location. The EDA office is moving to the Visitor Center at the end of February.

RE: CONSENT AGENDA

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

- a. Minutes of December 12, 2009 meeting.
- b. Resolution authorizing the application for State Aid to Public Transportation. (See Attachment "A")

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

Motion carried.

RE: RULES OF ORDER

The Board discussed the Rules of Order. Mr. Clarke reminded the Board that the Rules of Order are principally for the Board meetings and focuses on running meetings.

Mr. Frydl suggested amending section 13 to have members contact only the County Administrator or Chairman. After discussion, the Chairman suggested the following amendment:

"Board members will communicate directly with the County Administrator and the Chairman of the Board regarding all directives."

Upon motion by Clarence Peyton and unanimous vote, the Board approved the Rules of Order as amended. (See Attachment "B")

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

Motion carried.

RE: LIAISON FUNCTIONS

Mr. Peyton thought the liaison functions, as they are today, are old fashioned and outdated. Agencies or departments seem to view the liaison function as a “lobby” for them specifically. He felt it is appropriate for all issues, regardless of nature, to be forwarded to the County Administrator who, in turn, could contact appropriate board members as necessary. Issues should be brought to the Board by the County Administrator so everyone can stay informed and have an opportunity for input.

Discussion regarding the meaning and the role of a liaison followed. Issues should be referred to the County Administrator. The suggestion would be to keep functions but how liaisons operate will be changed. As liaison, the Board member would attend meetings and be aware of what’s going on but not lobby for that department.

It was the consensus of the Board to approve the liaison functions as discussed and amended. (See Attachment “C”)

RE: SHERIFF’S OFFICE

The Chairman said three Sheriff’s Office vehicles have been totaled recently and need to be replaced.

Upon motion by Carl Schmitt and unanimous vote, the Board approved the resolution to authorize the purchase of three vehicles. (See Attachment “D”)

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

Motion carried.

RE: PLANNING DEPARTMENT/COMMISSION

The Chairman informed the Board that staff has suggested the possibility of merging the Planning Commissions for the Town of Stanardsville and the County be researched. After discussion, it was the consensus of the Board to have staff research this proposal.

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

**Land Acquisition:**

- Water and Sewer

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

Motion carried.

Upon motion by Carl Schmitt 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: CONTINUED MEETING

The meeting was continued to Tuesday, January 26, 2010, at 5:30 p.m. in the County Meeting Room.



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Steve Catalano, Chairman  
Greene County Board of Supervisors

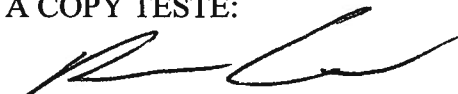
**RESOLUTION AUTHORIZING THE APPLICATION FOR  
STATE AID TO PUBLIC TRANSPORTATION**

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 \$396,559 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 12<sup>th</sup> day of January, 2010.

A COPY TESTE:

  
\_\_\_\_\_  
Barry Clark, Clerk  
Greene County Board of Supervisors

## **RULES OF ORDER**

1. There will be a regular monthly meeting on the second Tuesday of each month at 5:30 p.m. and continued meetings on the fourth Tuesday of each month at 5:30 p.m. A yearly calendar will be developed.
2. Items requested to be on the agenda must be submitted in writing eight (8) working days prior to the meeting to allow for distribution of agenda to the media and for circulation of packet to the board members. All correspondence addressed to the Chairman and/or to Board Members, that is included in the Board packet, must provide a telephone number and a return address. Individuals and/or departments wishing to provide information to the Board after the stated deadline will be required to mail such information directly to the mailing addresses of individual Board Members with a copy to the County Administrator's Office.
3. The Chairman and the County Administrator will set the agenda for meetings. Any Board member can add an item to the agenda, coordinating with the Chairman and the County Administrator to determine when the matter will be scheduled for Board consideration.
4. The Board will not address questions or issues raised by citizens at the meeting unless the item is already on the agenda or listed under matters from the public. Persons wishing to appear before the Board are directed to contact the County Administrator or Board Clerk, to be placed on the agenda.
5. Matters from the public will be heard directly preceding the consent agenda. Procedures for matters from the public are as follows:
  1. Speakers must sign up prior to the beginning of the meeting, stating their name, address, phone number and topic of concern on a sheet placed at the doorway of the meeting room.
  2. Speakers are allowed one (1) minute of time or longer based on Chairman's discretion.
  3. Speakers must adhere to the topic stated on the sign-up sheet.
  4. Chairman will monitor/control time and conduct during this period.
6. The Board will follow the procedure of taking no action on items introduced at the table under the category of other matters from the board members or the County Administrator. If an item is presented for the first time during the course of business by board members or the County Administrator, any action will be deferred until the next meeting of the Board. Exception will be made by unanimous consent of the Board.
7. The consent agenda for approval of minutes and other routine matters will be considered just prior to other matters from the Board.
8. No Board member shall abstain from any vote unless there is a conflict of interest.
9. Motion on the floor will die for lack of a second.
10. Supplemental appropriation requests of local funds will require a second reading by the Board.
11. The Board encourages citizens to work through problems at the department and/or administrative levels before coming to the Board.
12. Board meetings should not be used as a forum for political activity or campaigning.
13. Board members will communicate directly with the County Administrator and the Chairman of the Board on all directives.
14. The Board will focus on issues and avoid making public comments about individuals, staff members, fellow board members, community residents or media representatives.

15. Each Board member understands that personnel matters are to remain confidential and that it is the obligation of the Board and its membership to protect the privacy of the individual.
16. In responding to questions from the media and citizens, Board members shall not speak for the entire Board without authorization or make any comment on executive session matters as pursuant to Section 2.1-344 of the Code of Virginia. The media should be referred to the Chairman or the County Administrator regarding any official action of the Board.
17. Public hearings are held as required to receive community input and citizen comment. Sign-up sheets will be made available for those who wish to address the Board. Time limits will normally be set for each speaker. Typically each speaker will be allocated from three to five minutes during public hearings and forums, depending on the number of speakers to address the Board and the time available.
18. The Board will adopt rules of procedure for the current year at its January reorganizational meeting or other such time as the Board may deem appropriate.
19. Should questions arise regarding issues of parliamentary procedure, the Board will be guided by the procedures outlined in Roberts Rules of Order.

**LIAISON FUNCTIONS OF BOARD MEMBERS - 2010**

**LIAISON FUNCTION**

**BOARD MEMBER**

**General Government Administration**

**Steve Catalano**

- a) County Administrator
- b) Commissioner of Revenue
- c) Treasurer

**Public Safety & Judicial Administration**

- a) Fire & Rescue Services
- b) Corrections & Detention
- c) Commonwealth Attorney
- d) Emergency Operations Center
- e) Animal Control
- f) Law Enforcement (Sheriff)

**Community Development**

**Jim Frydl**

- a) Economic Development Authority
- b) Rivanna River Basin Commission

**Education, Parks/Recreation & Cultural**

**Clarence Peyton**

- a) Public School System

**Community Development**

- a) Stanardsville Town Council

**Community Development**

**Carl Schmitt**

- a) Planning, Zoning and Inspections
- b) Rivanna River Basin Commission
- c) Culpeper Soil and Water Conservation District
- d) Thomas Jefferson Planning District Commission

**Parks/Recreation & Cultural**

- a) Parks & Recreation

**Community Development**

**Mike Skeens**

- a) Cooperative Extension Program

**Health and Social Services**

- a) JABA & Emergency Shelter
- b) Mental Health Clinics
- c) Local Health Department

**Education, Parks/Recreation & Cultural**

- a) Branch Library Services

## **RESOLUTION**

### **AUTHORIZING AN UP TO \$50,000 LEASE PURCHASE AGREEMENT SERIES 2010 ("BANK-QUALIFIED")**

**WHEREAS**, Greene County, Virginia (the "County") proposes to enter into an exempt lease purchase financing in the maximum aggregate principal amount up to \$50,000 in order to pay capital costs to acquire [*three (3)*] Sheriff's Department vehicles for essential governmental use and purposes (the "Project").

**WHEREAS**, SunTrust Bank (the "Bank") has offered to assist the County with the lease purchase financing of the Project and to enter into a Lease Purchase Agreement, Series 2010 ("Bank-Qualified") (the "Agreement"), to be dated and delivered on or before January 29, 2010, between the Bank, as Lessor thereunder, and the Board of Supervisors the County, as Lessee thereunder (the "Board").

**WHEREAS**, pursuant to the Agreement the Bank will pay the costs of the Project, including costs of issuance in connection with the Agreement (for convenience, the "Project"), and will lease the Project to the County.

**WHEREAS**, the County reasonably expects the Project to continue to be essential to the functions of the County for a period that is not less than the term of the Agreement.

**WHEREAS**, the necessary steps under the Virginia Public Procurement Act, Chapter 43, Title 2.2 of the Code of Virginia, 1950, as amended, have been taken in connection with the Project.

**WHEREAS**, all amounts payable under the Agreement are subject to sufficient appropriations from the Board, upon due request of the County Administrator or other officer of the County charged with the responsibility of preparing the County's budget for each fiscal year, and the County is under no obligation to make any appropriation with respect to the Agreement.

**WHEREAS**, further, the Agreement shall not constitute a general obligation of the County, or a pledge of the full faith and credit of the County, or a charge against the general credit or taxing power of the County, and any amounts payable under the Agreement shall not constitute a debt of the County within the meaning of any constitutional or statutory limitation.

**WHEREAS**, at the request of the Bank, as Lessor under the Agreement, the County desires to designate the principal amount of the Agreement as a "qualified tax-exempt obligation" under the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code").

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS  
OF GREENE COUNTY, VIRGINIA:**

1. Essential Governmental Purpose of Project. The Board hereby finds and determines that the Project and the terms and conditions of the Agreement, including the rental payments to the Bank, as Lessor, are in the best interests of the County for the acquisition and equipping of the Project, including the lease purchase financing thereof, and are in furtherance of the essential governmental purposes of the County.

2. Designation of Agreement and Details. The Board hereby approves the general lease purchase terms as presented by the Bank. The payment of \$250 Bank Fees is hereby authorized and directed to be paid from the original principal proceeds of the Agreement.

The Agreement shall be dated the date of issuance and delivery thereof; shall provide for annual payments of rental thereunder to be computed over a term up to three (3) years at a rate not to exceed 4.0% per annum, in arrears; shall be designated, up to \$50,000 "Greene County, Virginia Lease Purchase Agreement, Series 2010 ("Bank-Qualified)"; and shall be fully registered. The Deputy County Administrator/Finance Director is hereby appointed as Registrar of the Agreement.

The Chairman, Vice-Chairman, and the County Administrator, any one or more of whom may act (whether individually or collectively, the "County Representative"), are each expressly authorized and directed hereunder to finally determine and approve all details of the Agreement, including without limitation, the maturity or payment dates and amounts and the final maturity date; ***provided, however that the maximum principal amount authorized under the Agreement shall not exceed \$50,000, and the Agreement shall bear interest in arrears at a rate not to exceed 4.0% per annum to be amortized over a term not to exceed three (3) years.***

3. Approval and Execution of Agreement. The form of Agreement, as required by the Bank, is hereby approved as presented at this meeting, such form of Agreement being substantially similar to all prior lease purchase arrangements between the Bank and the County. The execution, delivery, and performance of the Agreement are hereby authorized. The County Representative and the Deputy County Administrator/Finance Director, any one or more of whom may act, are each hereby appointed as Authorized Representatives under the Agreement, and further, are each authorized and directed to execute, acknowledge, and deliver the Agreement with any changes, insertions and omissions therein as may be approved by any one or more of such individuals who shall execute the Agreement, such approval to be conclusively evidenced by such execution and delivery thereof. The Clerk of the Board (and any Deputy Clerk thereof) shall be authorized to affix or to cause to be affixed the County seal to the Agreement, if required, and to attest such seal. Each officer or agent of the County is further authorized and directed to execute and deliver on behalf of the County such additional instruments, documents or certificates, and to do and perform such things and acts, as they shall deem necessary or appropriate to carry out the transactions authorized herein or contemplated by the Agreement, including, but not limited to such instruments and performance of acts as may be required in order for the Agreement to qualify as an exempt "bank-qualified" lease purchase

financing arrangement pursuant to the provisions of the Code and Treasury Regulations thereunder and the laws of the Commonwealth of Virginia. All of the foregoing acts previously performed by such officers or agents of the County are in all respects approved, ratified and confirmed.

4. Tax Compliance Matters. The County hereby represents and covenants that the Project, and all proceeds thereof, shall be used for the essential governmental purposes of the County Sheriff's Department. To the extent that the principal amount of the Agreement, together with any proceeds thereof (including but not limited to investment earnings thereon, if any), shall exceed the actual cost of the Project, as presently contemplated, it is to be understood that the County hereby authorizes that any such additional amounts available under the Agreement, if any, shall be expended by the County for capital projects for essential governmental purposes, or as otherwise may be required under the Code, including the optional prepayment of a portion of the outstanding principal amount of the Agreement to the extent required by law.

Accordingly, the County shall execute and deliver an appropriate certificate as to nonarbitrage or other tax certificate (the "Tax Certificate") in order to demonstrate compliance with the provisions of the Code, including the provisions of Section 148 of the Code and applicable regulations relating to "arbitrage bonds". The County Representative and the Deputy County Administrator/Finance Director, any one or more of whom may act, are each hereby authorized and directed to execute and deliver the Tax Certificate on the day of issuance of the Agreement. The County further covenants that (i) the proceeds from the issuance and delivery of the Agreement, all as described under the Code, will be expended and invested as set forth in the Agreement and that the County shall comply with the covenants and representations contained therein, and (ii) the County shall comply with the provisions of the Code so that the interest component of the rental being paid by the County to the Bank will remain excludible from gross income for Federal income tax purposes.

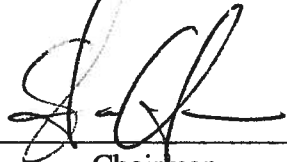
5. Designation of Agreement as "Bank-Qualified". The County hereby designates the Agreement as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Code. The County affirms its reasonable expectation as to compliance with the various \$30 million limitations therein, including the covenant that the County reasonably anticipates that no more than aggregate \$30,000,000 tax-exempt obligations shall be issued by the County, including any "subordinate" entities of the County or "on behalf of" entities thereof (within the meaning of the Code) during the current calendar year 2010 in accordance with the liberalized "bank qualification" requirements of Section 265(b)(3)(G) of the Code (added by the American Recovery and Reinvestment Act of 2009).

6. Nature of Obligation. It is to be understood that the Agreement represents a rental arrangement between the County and the Bank. Nothing in this Resolution or the Agreement shall constitute a debt of the County, and the Board shall not be obligated to make any payments under this Resolution or the Agreement except from monies appropriated therefor, from time to time.

7. Effective Date. This Resolution shall be effective upon its adoption.

**DATED: January 12, 2010**

**BOARD OF SUPERVISORS OF  
GREENE COUNTY, VIRGINIA**

By:   
Chairman

**CERTIFICATE OF VOTES**

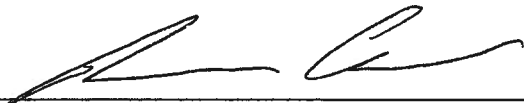
The undersigned hereby certifies that the foregoing constitutes a true and correct copy of the foregoing Resolution duly adopted by the Board of Supervisors of Greene County, Virginia, upon a roll-call vote at a regular meeting duly held and called on the date hereof, and that the recorded roll-call vote of the Board of Supervisors is as follows:

<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Steve Catalano, Chairman	X			
Buggs Peyton, Vice-Chairman	X			
James F. Frydl	X			
Mike Skeens	X			
Carl Schmitt	X			

Dated: January 12, 2010

**GREENE COUNTY, VIRGINIA**

[SEAL]

  
Clerk of the Board of Supervisors