

February 22, 2011

County of Greene, Virginia

THE CONTINUED MEETING OF THE GREENE COUNTY BOARD OF SUPERVISORS WAS HELD ON TUESDAY, FEBRUARY 22, 2011 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

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
- Emergency Services
- Appraisal/Reassessment

Land Acquisition:

- Water and Sewer

Legal:

- None

Personnel:

- Administration

Various Appointments:

- EDA
- Social Services Board

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 public meeting with a moment of silence in honor of former Board Member Jeri Allen.

RE: JEFFERSON-MADISON REGIONAL LIBRARY – GREENE BRANCH

Ms. Ginny Reese, Branch Manager, was present to discuss the new downloadable service of audio and e-books for library patrons. The program began in November and uses a service that works with lots of devices including iPods and is free for library patrons. Currently, 2,312 items are available in the collection and more is being added every month.

JMRLibrary was able to join a consortium and got a better deal in providing this new service. Records show that 1,500 e-books and 1,700 audio books were checked out since the beginning of the program. The biggest day so far has been Christmas Day.

Also, self checkout has been available since last summer. This service allows library staff to get more work done.

Mr. Peyton commented on the budget being based on usage and asked if this new service will impact those figures. Mrs. Deborah Willenborg, representative from Greene County, said circulation figures will be impacted.

RE: THE BIG READ

Mrs. Deborah Willenborg, Greene County representative on the Jefferson-Madison Regional Library Board, was present to discuss The Big Read program.

The Chairman read the proposed proclamation.

Upon motion by Clarence Peyton and unanimous vote, the Board approved the resolution proclaiming The Big Read during March and April, 2011. (See Attachment "A")

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

Motion carried.

RE: PUBLIC HEARING – REZONE – ARA PROPERTIES

Mr. Bart Svoboda, Zoning Administrator, reviewed the request from ARA Properties, LLC to rezone, from R-1, Residential, to R-2, Residential, approximately 18.88 acres known as Daniels Park I and approximately 28.37 acres known as Daniels Park II located on Spotswood Trail, Daniels Park Road, Frankie Drive, Double A Drive, Daniels Park Circle, Jennings Loop, Herndon Circle, and Hastings Lane and identified on County Tax Maps as 60-(A)-37 and 60C-(A)-20,23, & 24. (RZ#10-002)

The existing sixty-seven mobile home lots are in accordance with Special Use Permit BZA#92-522. The mobile home park is considered nonconforming due to the fact that mobile home parks were once a use permitted (by special permit) in the R-1 district and currently are not allowed by special permit in the R-1 district. A mobile home park is a use allowed by Special Use Permit in the R-2 zoning district.

It has been determined that the multifamily dwelling, containing five apartments, is NOT a nonconforming structure and does not exist in accordance with the Greene County Zoning Ordinance. Such use is not and was not a use permitted by right or special permit in the R-1 district. A multifamily dwelling is a use allowed by Special Use Permit in the R-2 zoning district.

If this rezone is approved, the applicant will also be provided the opportunity to seek a Special Use Permit under the R-2 zoning district for the existing multifamily structure and mobile home park. Issues with access will be addressed during the Special Use Permit process. The applicant has agreed to a deed to straighten that out.

The parcels currently provide the following dwelling units:

- 67 mobile homes and 5 unit multifamily dwelling on 60-(A)-37 (total of 72 dwelling units)
- 40 mobile homes and 1 single family dwelling on 60C-(A)-20, 23 & 24 (totaling 41 dwelling units)

The Planning Commission recommended approval with acceptance of the submitted proffers dated November 17, 2010.

Mr. Waverly Parker, Attorney for the applicant, said the intent is to make the property a purely conforming use. The applicant is in the position to give a deed to people who believe they own land along that road so they can access their property.

The Chairman opened the floor for public comment.

Jeff Cason – had copy of proposed deed in regards to Ms. Kemerly’s property – Would same apply to all property owners on the road?

Mr. Parker – deed written so that it only requires a change of name – would give others the same rights to access – Mr. Daniel will have to sign the deeds and is currently in Florida

Matthew Jenkins – questions have been answered

Ernest Dabney – adjoining property owner - said survey irons are 37 feet over on his property – what is purpose of this?

The Chairman said the Board is considering the land use issue. Any boundary questions are between the landowners. Mr. Ray Clarke, County Attorney, explained that the matter Mr. Dabney brought up is different than the matter that is before the Board of Supervisors tonight.

Nothing the Board does tonight will affect Mr. Dabney's property. A dispute over the property line is a different matter than what is before the Board.

The Chairman closed the public hearing.

Mr. Frydl said this area is within the urban development ring of the Comprehensive Plan and asked if the property would have to be rezoned again if a commercial development was proposed. Mr. Svoboda said the property would need to be rezoned if business is proposed.

Mr. Frydl questioned the deed for access to anyone who has right or ownership of property along the road. Mr. Parker said the deed would be for anyone who claims to have a lot which abuts that road. If they own a lot, they will get the same access. Mr. Parker said the issue of ownership is not being decided tonight. The present intention of the owners is to keep this as a mobile home park for the foreseeable future. The owners reserve the right to move that entrance again if necessary.

Mr. Schmitt said he also was confused by the word "claim". Mr. Parker said the applicant does not intend to verify ownership prior to giving the deed. If in addition to claiming, a person, in fact, owns property along the road, the applicant will provide the deed. The right of access will remain the same.

Mr. Schmitt asked if the total number of unit types noted in the proffer can be altered. Mr. Svoboda said any change in unit type would have to come before the Board. (i.e. convert five mobile homes into a five unit dwelling)

Mr. Parker said the applicant would like to stipulate conditions in regards to the deeds. Agree to use the form of the deed as submitted and establish a length of time for this to be completed.

Mr. Peyton said the rezone will not restrict current access nor change any boundaries. Mr. Catalano agreed and said this rezone will "clean up" a non-conforming use.

Upon motion by Carl Schmitt and unanimous vote, the Board approved the request from ARA Properties, LLC to rezone, from R-1, Residential, to R-2, Residential, approximately 18.88 acres known as Daniels Park I and approximately 28.37 acres known as Daniels Park II located on Spotswood Trail, Daniels Park Road, Frankie Drive, Double A Drive, Daniels Park Circle, Jennings Loop, Herndon Circle, and Hastings Lane and identified on County Tax Maps as 60-(A)-37 and 60C-(A)-20,23, & 24 with proffers as submitted. (RZ#10-002)

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

Motion carried.

RE: PUBLIC HEARING – SPECIAL USE PERMIT – ARA PROPERTIES

Mr. Svoboda reviewed the request from ARA Properties, LLC for a Special Use Permit for two existing mobile home parks and one existing multi-family dwelling on approximately 18.88 acres known as Daniels Park I and approximately 28.37 acres known as Daniels Park II located on Spotswood Trail, Daniels Park Road, Frankie Drive, Double A Drive, Daniels Park Circle, Jennings Loop, Herndon Circle, and Hastings Lane and identified on County Tax Maps as 60-(A)-37 and 60C-(A)-20, 23 & 24. (SUP#10-005)

In regards to the deed offered by the applicant, staff can work with the applicant on verifying owners (tax map parcel number) and the deeds should be completed within three months.

Mr. Parker had no objection to the time limit but said the applicant does not intend to search for property owners. Those affected need to request the deed. Mr. Svoboda noted all adjacent property owners were notified of this meeting. He did not feel property owners will notice any change as there are no plans to close that road.

Mr. Parker suggested the following language: "Subject to ARA Properties granting a deed in form as the one proffered to any person who claims to be in a similar situation as Ms. Kemerly who objected to the Special Use Permit with this obligation to expire at the end of three months."

The Chairman opened the floor for public comment. The hearing was closed as there were no comments.

Mr. Ray Clarke said he did not have a problem with the language as long as the three month time period is agreeable.

Mr. Parker said the applicant does not want this to go on forever. He said the applicant is not obligated to provide a deed in the future but chances are he would do it as there would be no reason not to.

Upon motion by Jim Frydl and unanimous vote, the Board approved the request from ARA Properties, LLC for a Special Use Permit for two existing mobile home parks and one existing multi-family dwelling on approximately 18.88 acres known as Daniels Park I and approximately 28.37 acres known as Daniels Park II located on Spotswood Trail, Daniels Park Road, Frankie Drive, Double A Drive, Daniels Park Circle, Jennings Loop, Herndon Circle, and Hastings Lane and identified on County Tax Maps as 60-(A)-37 and 60C-(A)-20, 23 & 24 with conditions as noted. (SUP#10-005)

The density of the dwellings shall remain as they presently occur:

1. The density of 60-(A)-37 is seventy-two (72) dwelling units and shall not be expanded to greater than seventy-two (72) dwelling units.
2. The density of 60C-(A)-20, 23, and 24 is forty-one (41) dwelling units. The density of 60C-(A)-20, 23 and 24 shall not be expanded greater than forty-one (41) dwelling units.
3. Subject to ARA Properties granting a deed in the same form as the one proffered to any person who claims to be in a situation similar to Ms. Kemerly lasting three months from the date of this action.

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

Motion carried.

RE: PUBLIC HEARING – CAPITAL IMPROVEMENT PLAN (CIP)

The Chairman reminded members that the CIP is a planning tool, not a budget appropriation.

Mr. Svoboda said a majority of departments responded. There are some items that list both renovation and new building in the same year. This is to allow a complete picture of needs. There are some items less than \$20,000.

The Chairman opened the floor for public comment.

Matt Strauss – spoke in support of comfort station/concession stand at Park – Boy Scouts use facilities – several Boy Scout Eagle Projects at Park – consider this request as a high priority – Park is being used more all the time

Vicki Strauss – spoke in support of comfort station/concession stand project – Girl Scouts also use Park facilities – day camp for past 7 years – have to use porta potties and bring water to wash hands – a concrete structure would provide shelter in the event of a sudden storm – noted the Girl Scouts donated \$1,000 for this project

Terry Beigie – spoke in support of comfort station/concession stand project – large number of people using facility and some stay there all day – population has grown by 3,000 but no new facilities – 12% increase in number of participants in soccer program from fall 2009 to fall 2010 – County is really lagging behind in services – time to start spending money next year for more fields, more recreation as well as comfort station – spoke on numerous entities that have donated time/money/work for Park – need to add more services for our residents – work with businesses to get proffers – community deserves more from Supervisors than what it has gotten

Joel Warren – spoke in support of Park – commended the Board and the County for the outstanding recreational facility provided at the Park – the usage of the Park brings to focus the need for a comfort station/concession stand – providing the facility would be the crowning touch to wonderful Park

Bob Grassi – spoke in support of Park – youth have opportunity to use Park – Ruritans provide food and drink – we need a comfort station now – serve food and drinks off picnic tables – porta potties good for construction site, not a Park – had over 300 youth on Saturdays this past fall in addition to family and guests – need better facility – the children give donations every Saturday – surely the adults can do better and build a facility

Michael Laukitis – spoke in support of Park – gets tremendous amount of use – lot of support for comfort station/concession stand – very important and one of the most basic service to provide to residents – asked how many Board members have actually used a porta potty in the past year – County residents deserve better – move forward with plans to build facility

Elizabeth Edelman – Girl Scout – sophomore at WMHS – uses Park facilities – Girl Scouts camp held there – some children go home because they refuse to use porta potties at Park – wants to continue to provide opportunity to other kids that are growing up in Greene County

Bill Martin – Ruritan Club member – public health standpoint – hydration is very important to sportsmen/women – it is a public health issue – take step as County on a reasonably priced budget item when it comes time for appropriation – time to evolve one step further

Bob Burkholder – Co-President of Ruritan Club and his wife, Joanne, is other Co-President - both serve on Parks and Rec Committee – fought diligently for improvements at Park – cost the County very little money to buy property – spoke on history of development of Park-Ruritans built pavilion – Jeri Allen got grant from VDOT to get road paved – said a letter from Ruritans has been submitted to the Board requesting the road be named Jeri Allen Way – building could have been done several years ago for about \$40,000 but then the County money got put into it and the rules changed – now up to \$112,000 to \$120,000 to do the same building –

it's time, needs to be done – Ruritans should be commended for their perseverance in upgrading the County Park - The County should be taking the lead and have the commitment to the capital improvement – asked Board to fund this project and move forward – there are grants that we're going to lose if not used now

Roy Dye – spoke in support of park – provide funding to get this done this year – expected at a minimum, sufficient restrooms – as a member of the Ruritans, he works at concession stand at Park – put as priority on Plan

Jay Willer – Plan gets clearer every year – suggested projects be categorized - not an appropriation, not a priority setting process – some items have to be done by Fed or State law – some are in anticipation of growth – some are wishes – purely discretionary – suggested “matrix” – this is required; this is going to happen because of maintenance issues; this is something we need for future; and another category for wishes

Davis Lamb – Greene County Park is unique – near town but still country setting – not just for ball – for adults as well as youth – need restroom facilities

The Chairman closed the public hearing.

Mr. Svoboda said the items on the Plan are the same or similar to those on the Plan last year.

Mr. Peyton asked if the revised Plan will cause the re-evaluation/re-calculation of proffers. Mr. Svoboda said staff will work on the re-calculation of proffers after approval of the Plan.

Mr. Schmitt said this is a living document and evolves every year. It is getting better but needs to be improved. The Plan serves two purposes: basis for cash proffer for any future rezoning and provides a long range view of capital needs. The Plan should include real needs and not be a wish list.

Mr. Schmitt referred to a memo from Dr. Jeck, Superintendent of Schools. The school facilities in the CIP are not really based on hard analysis. The School Board is considering undertaking a facilities study to put together hard facts. Mr. Svoboda said the projects were included in the current proposed Plan rather than have a “hole” pending study.

Mr. Skeens asked if a response was received from most departments. Mr. Svoboda said the response was better than last year and the hope is to get it better organized.

Mr. Peyton said this has always been referred to as a “wish list”. It is important to have all projects listed. The School project has been moved to the “top of the heap”. Mr. Peyton said the Board can prioritize as the year goes along and if there are funds for projects, then the Park will be given due consideration. However, at this point in time, with this economy, the Board just doesn't know.

Mr. Catalano said the Plan needs to be updated as time goes along. Mr. Svoboda said projects that are completed are removed from the list. Partially completed projects remain and next year will have a percentage of completion listed. He was hopeful that the Board will be able to allocate funds for capital projects so the County can start “whittling away” at the list even if it means saving up for projects over a period of years.

Mr. Frydl felt this is an opportunity to review and prioritize projects. The Board needs to see what funding needs are, what our obligations are and money above and beyond that point could possibly be allocated. It may be a situation where the funds need to be saved for several years for a specific project.

Mr. Catalano noted there have been many years where capital improvements have been subject to appropriation during the year. The CIP is a great planning tool, is evolving, is the basis for proffers and is getting better compared to very first one.

Mr. Catalano suggested the County needs to inventory equipment, such as computers, vehicles, etc. and have that as an attachment to the CIP. That would be an excellent budget tool.

Upon motion by Clarence Peyton and unanimous vote, the Board approved the Capital Improvement Plan as presented. (See Planning Department for document)

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

Motion carried.

RE: RECESS

The Chairman called a short recess.

RE: RESOLUTION – SCHOOL PROJECT – LOAN APPLICATION

The Chairman said the Board previously agreed that the School Board could apply for a loan with VPSA to borrow up to \$5.3 million for the School Athletic and Performing Arts Facilities project. The Board also agreed to the appropriation of \$4.7 million for that project.

Mr. Peyton said he wanted to be sure that the understanding is the expenditure is limited to \$4.7 million. The Board will revisit the issue at the March 22 meeting to discuss the additional \$600,000 needed to complete the project.

Upon motion by Carl Schmitt and unanimous vote, the Board approved the Application Resolution authorizing the submission of a loan application as required by VPSA. (See Attachment “B”)

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

Motion carried.

RE: RESOLUTION – EXECUTION OF CONTRACT

The Chairman said this resolution would authorize the Schools to execute the contract for the project on or before February 28, 2011.

Upon motion by Jim Frydl and unanimous vote, the Board approved the Consenting Resolution authorizing the School Board to execute a written contract with the contractor on or before February 28, 2011. (See Attachment “C”)

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

Motion carried.

RE: MATTERS FROM THE PUBLIC

RECREATION PARK

Ms. Peggy Menzies and Mr. Matt Dunn spoke in support of the comfort station at the Recreation Park.

RE: CONSENT AGENDA

The minutes of the previous meeting will be considered for approval at the next meeting.

RE: OTHER MATTERS FROM THE BOARD

CENTRAL VA REGIONAL JAIL

Mr. Peyton said the draft budget for FY 2012 will be forwarded. There has been an increase of 1.89% in the overall budget of which the County's share is \$647,000. This is an increase from \$534,000 last year. Operating costs continue to increase because of cuts in State funding.

Mr. Schmitt felt this should be included in the CIP if appropriate. Mr. Peyton agreed.

SCHOOL BOARD

Mr. Frydl said a memo from Dr. Jeck addressed the State funds that the School has been "holding back" to use next fiscal year. The Schools will request authorization from the Board of Supervisors to carry those funds over to the next fiscal year. Mr. Peyton felt the funds should be carried over.

The proposed School budget is available online.

TMDL MEETING

Mr. Schmitt said the meeting was very interesting and felt it fair to say that some lines of communication have opened up. Mr. Clark and Mr. Svoboda also attended.

Mr. Frydl noted funding for the EPA implementation of the Bay Act was cut.

BROADBAND

In response to a question by Mr. Peyton, Mr. Schmitt said stimulus funding for broadband was not approved. The County has just enough service to not be viewed as underserved.

Mr. Schmitt said he was told Century Link is installing fiber into the rural areas and he should have it at his home by late spring of this year.

Mr. Peyton said a company has agreed to install fiber optic in the business park at no cost. Also, possibly to the Library/Senior Center building.

SOCIAL SERVICES BOARD MEMBER

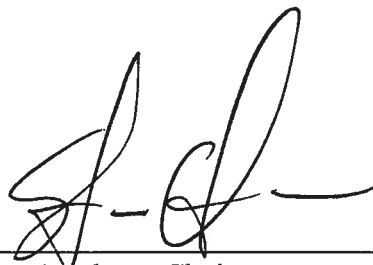
Mr. Skeens noted there is a vacancy on the Social Services Board.

OUTDOOR BURNING

The Chairman said the Fire Departments have been very busy and asked everyone to not burn outdoors as it is very dry.

RE: ADJOURN MEETING

The Board Meeting was adjourned at 9:43 p.m. The next meeting of the Board will be on March 8, 2011.

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

Steve Catalano, Chairman
Greene County Board of Supervisors

**THE BIG READ 2011: The Maltese Falcon
by Dashiell Hammett**

WHEREAS, THE BIG READ is designed to restore reading to the center of American culture and provides our citizens with the opportunity to read and discuss a single book within our community; and

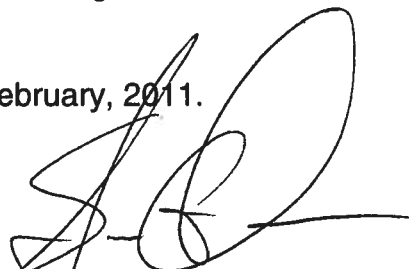
WHEREAS, the Jefferson-Madison Regional Library invites all book lovers to participate in THE BIG READ that will be held throughout the months of March and April 2011. The Library's goal is to encourage all residents of Central Virginia to read and discuss THE MALTESE FALCON by Dashiell Hammett; and

WHEREAS, THE MALTESE FALCON is about what it's like to want something - a fortune, a lover, or even respect - so bad that you would kill for it, give up a chance at happiness to get it, until finally the chase itself means more to you than what you're chasing.

WHEREAS, THE BIG READ is an initiative of the National Endowment for the Arts in partnership with the Institute of Museum and Library Services, and Arts Midwest; and is supported by the Art and Jane Hess Fund of the Library Endowment;

NOW, THEREFORE, be it resolved that the Greene County Board of Supervisors proclaims THE BIG READ during March and April 2011 and encourages all residents to read THE MALTESE FALCON during this time.

Adopted in Open Meeting this 22nd day of February, 2011.



Steve Catalano, Chairman
Greene County Board of Supervisors

February 22, 2011
VPSA 2011A Spring Pool Bond Sale

APPLICATION RESOLUTION
BOARD OF SUPERVISORS OF GREENE COUNTY, VIRGINIA

WHEREAS, the Virginia Public School Authority (the "VPSA") has been authorized by the Virginia General Assembly to purchase local general obligation school bonds from time to time in order to finance capital projects for school purposes; and

WHEREAS, it is anticipated that the VPSA will approve the purchase of local school bonds of Greene County, Virginia (the "County"), among others, in connection with the 2011 Spring Bond Sale by the VPSA; and

WHEREAS, the School Board (the "School Board") of the County has approved a Requesting and Consenting Resolution at its meeting duly held on February 9, 2011, as required by law, to request and consent to the Board of Supervisors of the County (the "Board"), among other things, to authorize a loan application to the VPSA in connection with the Spring Bond Sale, and to take all such further actions as may be necessary to authorize the County's issuance to the VPSA of not to exceed aggregate \$5,300,000 general obligation school bonds, in one or more series and from time to time, in order to obtain long-term funds to acquire, construct, reconstruct, improve, modernize, upgrade, expand and equip public school facilities in the County, including athletic facilities and performing arts and auditorium facilities at William Monroe High School (all capital projects for school purposes in the County being collectively referenced herein as the "Project"); and

WHEREAS, the Board now desires to authorize the submission of a loan application as required by the VPSA and to take further actions as necessary or convenient in order for the County to consider participation in the 2011 Spring Bond Sale for the purposes described above.

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

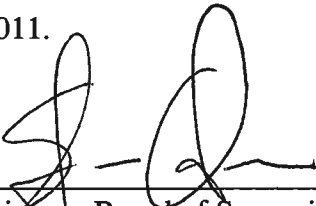
1. Approval of Submission of VPSA Loan Application. The Board hereby consents to and authorizes the submission of a loan application to the VPSA consistent with the intent herein, all as described above, with respect to the proposed issuance of general obligation school bonds of the County in an aggregate principal amount not to exceed \$5,300,000 (the "Bonds") for the purpose of providing funds to pay all or any portion of the costs of the Project.

2. Call for a Public Hearing upon Due Notice therefore. The Board hereby calls for (i) a public hearing on the contracting of debt and proposed issuance of the Bonds at such time as may be advised in accordance with the financing schedule for the 2011 Spring Bond Sale, and (ii) appropriate notices to be given and all other acts to be taken, as may be required by law, in order for the County to consider the issuance of the Bonds to the VPSA.

3. **Further Actions.** The Chairman and the Vice-Chairman of the Board, and the County Administrator 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 such loan application to the VPSA consistent with the intent herein, and to take all such further actions as may be necessary or convenient in order for the County to carry out the purposes and intent described in this Application Resolution. It is to be understood, however, that no Bonds shall be issued, sold or awarded by the County until such time as the County shall take all such further acts required by law, including but not limited to, approval of an appropriate bond authorizing resolution by the Board of Supervisors to issue the Bonds and provide for the form and details thereof, after the holding of a duly noticed public hearing therefore, all as required by law.

4. **Immediate Effect.** This Resolution shall be effective immediately.

PASSED AND ADOPTED this 22nd day of February, 2011.



Chairman, Board of Supervisors
Greene County, Virginia

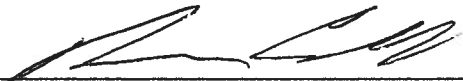
CERTIFICATE OF VOTES

The undersigned Clerk of the Board of Supervisors of Greene County, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of an Application Resolution adopted by the Board at a duly called regular meeting thereof, and that the record of the roll-call vote 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			

Date: February 22, 2011

[SEAL]



Clerk, Board of Supervisors
Greene County, Virginia

CONSENTING RESOLUTION
BOARD OF SUPERVISORS OF GREENE COUNTY, VIRGINIA

WHEREAS, the School Board of Greene County, Virginia (the "School Board") has determined that a vital need exists to acquire, construct, reconstruct, improve, modernize, upgrade, expand and equip public school facilities in Greene County, Virginia (the "County").

WHEREAS, to meet present and reasonably projected future needs, the School Board desires to undertake capital projects for school purposes in the County in order to acquire, construct, reconstruct, improve, modernize, upgrade, expand and equip public school facilities in the County, including athletic facilities and performing arts and auditorium facilities at William Monroe High School (all capital projects for school purposes in the County being collectively referenced herein as the "Project").

WHEREAS, it is anticipated that the Virginia Public School Authority (VPSA) would approve the purchase of local general obligation school bonds of the County, in one or more series and from time to time, in order to finance all or any portion of the costs of the Project.

WHEREAS, the School Board approved on February 9, 2011 a Resolution requesting, among other things, that (1) the Board of Supervisors cause the County to issue its general obligation school bonds in an aggregate principal amount not to exceed \$5,300,000 (the "School Bonds") in order for the School Board to finance all or any portion of the costs of the Project; and (2) the Board of Supervisors submit an application to the VPSA, as part of its Spring Sale (Series 2011 A), with respect to the financing of the Project.

WHEREAS, the School Board has completed public procurement on the Project and has awarded the contract for construction to Breakell, Inc. (the "Contractor") as the low bidder, and Contractor is prepared to commence work on the Project by February 28, 2011, if a mutually agreed upon written contract can be executed between the School Board and the Contractor.

WHEREAS, time is of the essence to commence work on the project and if work can commence by no later than February 28, 2011 (1) the Contractor can begin preparations and order materials and complete auditorium renovation in a three-week window in April 2011; and (2) the Contractor can complete football stadium and concession building work before the first home football game in the fall of 2011.

WHEREAS, if the School Board executes a written contract with the Contractor on or before February 28, 2011, the School Board will obligate itself to pay Contractor a sum of money in excess of the funds currently available for school purposes for the current fiscal year and the School Board, therefore, requests the consent of the Board to

enter into the contract, as required by Virginia Code § 22.1-91, with the understanding and anticipation that the VPSA will subsequently approve the purchase of local general obligation school bonds of the County in an amount sufficient to finance all or any portion of the Project.

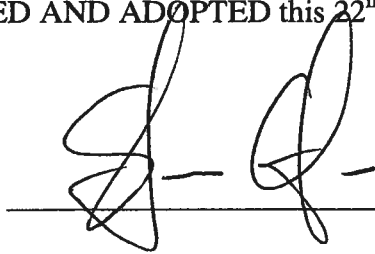
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF GREENE COUNTY, VIRGINIA, as follows:

1. **Consent for School Board to Execute Contract.** The Board hereby consents to the School Board executing a written contract with the Contractor on or before February 28, 2011 which obligates the School Board to pay the Contractor a sum of money in excess of the funds currently available for school purposes for the current fiscal year.

2. **Required Contingency Contract Provision.** While the Board has resolved to submit a loan application to the VPSA in connection with the proposed issuance of general obligation bonds of the County, and the Board anticipates the VPSA will approve the purchase of such issued bonds in an amount sufficient to fund all or any part of the Project, the Board's consent in paragraph 1 is contingent upon the written contract between the School Board and the Contractor containing a provision that makes the School Board's contractual obligations, to the extent they will exceed currently available funds, contingent upon the Board's appropriation of future adequate funding from anticipated bond financing.

3. **Immediate Effect.** This Resolution shall be effective immediately.

PASSED AND ADOPTED this 22nd day of February, 2011.



Chairman, Board of Supervisors
Greene County, Virginia

CERTIFICATE OF VOTES

The undersigned Clerk of the Board of Supervisors of Greene County, Virginia, hereby certifies that the foregoing constitutes a true and correct copy of an Application Resolution adopted by the Board at a duly called regular meeting thereof, and that the record of the roll-call vote 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			

Date: February 22, 2011

[SEAL]



Clerk, Board of Supervisors
Greene County, Virginia