

March 22, 2011

County of Greene, Virginia

THE BOARD OF SUPERVISORS MET ON TUESDAY, MARCH 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

Land Acquisition:

- Water and Sewer

Legal:

- None

Personnel:

- Administration
- Constitutional Officer

Various Appointments:

- Parks and Recreation Advisory Committee
- Rivanna River Basin Commission

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: RIVANNA RIVER BASIN COMMISSION

Upon motion by Carl Schmitt and unanimous vote, the Board reappointed Ms. Roberta "Robbi" Savage 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: PARKS AND RECREATION ADVISORY COMMITTEE

Upon motion by Carl Schmitt and unanimous vote, the Board appointed the following members to the Parks and Recreation Advisory Committee:

	Vicki Strauss	-	at large
	Joan Welch	-	at large
	Kendall Tata	-	at large
	Elizabeth Eldeman	-	student body
	Elizabeth Strauss	-	student body
Recorded vote:	Steve Catalano	-	Yes
	Clarence Peyton	-	Yes
	Jim Frydl	-	Yes
	Carl Schmitt	-	Yes
	Mike Skeens	-	Yes

Motion carried.

RE: HEALTH DEPARTMENT

Dr. Lilian Peake, Director of the Thomas Jefferson Health District, was present to request authorization to move \$4,872 in order to retain unmatched local funds. The State increased the food establishment fees to bring in more revenue but general funds were decreased. The total allocation of \$245, 484 does not change.

Upon motion by Carl Schmitt and unanimous vote, the Board approved the request from the Health Department to retain \$4,872 in unmatched local funds.

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

Motion carried.

RE: PUBLIC HEARING – KIBLER/LAWSON ENTERPRISES – REZONE

Mr. Bart Svoboda, Zoning Administrator, reviewed the request from Rodney & Jeanne Kibler/Lawson Enterprises, Inc., requesting a rezone from R-1, Residential, to B-3, Business on approximately 0.94 acres located on Bray Road and identified on County Tax Maps as 37B-(2)-A-10. (RZ#10-003)

The applicant has voluntarily proffered that there will not be a permitted use that has a peak hour demand of more than 249 vehicle trips or 2499 VPD. Proposed use would not meet the threshold that would require a Chapter 527 Traffic Impact Analysis.

The second proffer indicates that the 0.31 acre portion of the parcel that contains the stormwater management feature will be dedicated for continued use of the stormwater management feature.

Mr. Ken Lawson, representative of the applicant, said the lot is not usable as presently zoned. The plan is to clean up the area and plant grass. There would be an opportunity for future expansion or other business to locate on the site.

The Chairman opened and closed the public hearing as there were no comments from the public.

Mr. Schmitt questioned a business at that location having 249 vehicles per hour and expressed concern about traffic impacts. Mr. Svoboda said any use located on this site would be subject to analysis by VDOT and possibly a Chapter 527 Traffic Impact Analysis.

Mr. Schmitt also questioned the stormwater management agreement. Mr. Svoboda said staff is working on that and there is a standard agreement that would be signed and recorded.

Mr. Schmitt noted a footpath in the area that residents use to get to the shopping center. Mr. Svoboda said there is no easement for this path and pedestrian access will be addressed when the site is developed.

Mr. Frydl felt the proposed rezone complies with the Comprehensive Plan and the storm water management plan would be covered under review of any submitted site development plan.

Mr. Skeens asked about the parking area above the building on the right side. The applicant said there would still be parking there if the road is improved.

The Chairman said this rezone would provide consistency of zoning and is consistent with the Comprehensive Plan.

Upon motion by Clarence Peyton and unanimous vote, the Board approved the request from Rodney & Jeanne Kibler/Lawson Enterprises, Inc., requesting a rezone from R-1, Residential, to B-3, Business on approximately 0.94 acres located on Bray Road and identified on County Tax Maps as 37B-(2)-A-10. (RZ#10-003)

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

Motion carried.

RE: SCHOOL FACILITIES PROJECT

Dr. David Jeck, Superintendent, said the bond sale will be in May. The rate right now is 3.75% up from 2.98% last quarter. The amount of retired debt service will be \$374,000. The School Board has made a commitment to the Board of Supervisors to not exceed the amount of retired debt service.

Mr. Catalano noted the Board of Supervisors previously agreed to authorize \$4.7 million but allowed the application to move forward for \$5.3 million.

The floor was opened for public comment.

Mr. Darcy Higgins, School Board Member and parent, thanked the Board of Supervisors for their support in the past and for their support of the additional \$600,000 required to complete the entire project.

The public hearing was closed.

Mr. Schmitt noted the five additional projects total \$598,648 which would equal an additional annual amount of \$36,000 depending on the interest rate. Dr. Jeck said the goal is to do the most for the least amount and shortest term possible while staying within the amount of retired debt service. Dr. Jeck said he was aware of the outcome of the budget workshop and it is their intent to proceed with the project.

Mr. Skeens asked if this project will result in hiring more personnel. Dr. Jeck said he did not anticipate adding any personnel and noted the project adds one playing field.

Mr. Peyton said he did not remember the Board agreeing to exceed the \$4.7 million initially agreed on and questioned why the resolution before the Board is for \$5.3 million. It was noted the retired debt service that would be available could cover the additional amount.

Mr. Schmitt said the Board authorized the submission of an application for up to \$5.3 million with the difference between the agreed upon \$4.7 million to be resolved tonight. The resolution could be amended if the Board chooses to stay at \$4.7 million.

Mr. Frydl agreed that the Board authorized up to \$5.3 million in the resolution. The Board also discussed allowing the retired debt service to be used for operating funds or capital funds.

The Chairman said the Board had agreed to leave the retired debt service in the School budget. It will be up to the School Board to decide what to spend the money on. For the purposes of the Board of Supervisors, the Board is authorizing \$4.7 million and leaving the remaining retired debt service funds in the school budget. Mr. Catalano did not think the Board of Supervisors should get involved with the scope of the project. The committee can change or adjust the scope. Dr. Jeck said \$5.3 million was the recommendation by the committee.

Mr. Frydl pointed out that if the \$5.3 million is not authorized, then the Schools would be possibly applying/paying for two loans instead of one to complete the project.

Dr. Jeck reiterated that the retired debt service funds could pay the annual note on \$5.3 million with a 20 to 22 year term.

Mrs. Kim Powell, Business and Facilities Director, said the bond sale agreement amount must be final and noted this type of debt is always the County's debt. The interest rate would be 3.75% up to 4.25% at the worst case scenario. All proceeds would have to be used for school capital projects.

Mrs. Powell said the Schools do not have the cash to pay the additional \$600,000 and she did not know of another borrowing option. She noted the State is very aware of the circumstances.

Upon motion by Jim Frydl and affirmative vote, the Board approved the resolution authorizing a general obligation school bond for the Athletic Facilities and Performing Arts Center Project in an amount not to exceed \$5,300,000.

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

Motion carried.

RE: WORK SESSION – VDOT – SIX YEAR PLAN FOR SECONDARY ROADS

Ms. Karen Kilby, VDOT Programming & Investment Management Director; Mr. John Giometti, Culpeper District Location and Design Engineer; and Mr. Greg Banks, Culpeper District Programming Coordinator were present.

Mr. Giometti said VDOT is proposing a four barrel box culvert at the lower crossing of the stream on Mutton Hollow Road. There are three low water crossings on this road and the lower crossing has the worst flooding problem. Mr. Giometti reviewed the proposed solution for the bridge with a estimated cost of \$695,000. The proposed project would provide a 10 year storm protection and fits within the existing prescriptive easements and donated drainage easements. Construction should begin this time next year.

Mr. Catalano said this is the top priority. Mr. Peyton noted both bridges were washed over during the last rain which amount to a little less than two inches.

It was the consensus of the Board that the upper crossing on Mutton Hollow Road would be the next priority.

Mr. Schmitt asked if there was a problem with the new bridge on Octonia Road. Mr. Peyton said the bridge was closed for a day. Ms. Kilby said the bridge was closed because a truck hit the rail and repairs have been made.

Ms. Kilby said the deadline for applications for revenue sharing is April 29. The public hearing for interstate primary and urban projects will be in Richmond on May 18. The Board of Supervisors should submit resolutions in support of any primary projects they would like added to the plan. Mr. Schmitt noted the project to extend the left turn lane on Route 29 north at the intersection with Route 33 would be a priority. Ms. Kilby said there is some safety money that could be used for that project.

Mr. Banks reviewed the proposed Six Year Plan. The information booklet provided allows the County to make good decisions about what projects to include in the Six Year Plan as funding is available. Funding is down from previous years with \$69,419 available for the first year and \$65,399 available for the rest of the years. These funds come from telecommunication fees which VDOT receives from utility companies who have lines in the right-of-way. The fees are returned to the County based on a formula.

Mr. Banks noted Bacon Hollow Road project is complete and will be removed from the plan. There is a balance left on the project that can be moved to the Mutton Hollow Road project.

The following projects were included in the draft plan:

- Route 634 - Mutton Hollow Road
- Route 607 – Matthew Mill Road
- Route 624 – Beasley Road
- Route 642 – Simms Road
- Route 630 – Rosebrook Road

Mr. Banks said funding is limited for the Matthew Mill Road project. The proposal is to build the road, from the Route 29 intersection, five lanes wide, with turn lanes, back to the Sheetz entrance. This is a federal project. Construction on this project could begin spring of 2014 if it were the next priority.

Mr. Catalano said, in many cases, developers will help pay for larger projects and have the opportunity to be funded by other sources. The smaller projects, on secondary roads, don't have the hope of other funding and, in his opinion, should have a higher priority on the plan.

Ms. Kilby suggested the Board consider using proffers as the match for revenue sharing.

Mr. Schmitt asked if proffers from the Deerfield project could be used for this project. Mr. Svoboda said the Deerfield proffers were not really cash proffers but right-of-way dedication, etc.

Mr. Schmitt asked for a list of upcoming road maintenance projects. This will be provided at the next quarterly meeting.

Mr. Schmitt also asked about trash pickup on Route 29 and Route 33. He noted volunteers cover most of the secondary roads.

RE: MATTERS FROM THE PUBLIC

Mr. Jim McConnell, resident on Swift Run Road, spoke about the trash on the roadside. He suggested covering for pickup trucks hauling trash be required.

Mr. McConnell also asked the status of the facility at the Park. The Chairman said the Board is proposing to add five projects to the capital projects line item with that facility being on the priority list. This will be discussed in July. Mr. McConnell said the facility will need to be "bullet proof" because of vandalism.

The Chairman suggested the Board consider having staff clean the road to the solid waste facility (May Road) on an ongoing basis. He said the County cannot mandate beyond what the law allows and pickup trucks are not subject to having to cover loads.

Mrs. Pat Morris spoke on the Mutton Hollow Road Project. She said the pipe is rusted out, cement is cracking under the bridge, and this road should be the County's priority.

RE: CONSENT AGENDA

Upon motion by Clarence Peyton and unanimous vote, the Board approved the minutes of the March 8, 2011 meeting.

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

Motion carried.

RE: OTHER MATTERS FROM THE BOARD

Mr. Frydl said the Board has requested information from the Commissioner of Revenue and the Treasurer. The Treasurer submitted a report but there has been no response from the Commissioner of Revenue. He noted the Board has the ability to request and it is a requirement of constitutional officers to provide those reports.

The County Administrator will follow-up on the status of the report from the Commissioner of Revenue.

RE: TREASURER

Mr. Clark said Mrs. Deal would like to join the Virginia Association of Treasurers. It was the consensus of the Board to approve the expense of \$130 for the membership fee for Mrs. Deal.

RE: ADJOURN MEETING

The meeting was adjourned at 9:37 p.m. The next meeting of the Board is scheduled for April 12, 2011.



Steve Catalano, Chairman
Greene County Board of Supervisors