

May 24, 2011

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, MAY 24, 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
Tracy Morris, Finance Director

RE: WORK SESSION – FRIED COMPANIES – PROPOSED CREEKSIDE SUBDIVISION
AMENDMENT

The Chairman said the Board is here to listen and this meeting is not intended to be a substitute for a public hearing. Any questions should be forwarded to staff. There is a fee structure problem with this application. It was the consensus of the Board for staff to conduct a review of the fee structure for rezones.

Mr. Steve Jones and Mr. Ken Lawson, representatives of Fried Companies, were present.

Mr. Jones said he attended meetings during the Comprehensive Plan review process which included discussions about the vision for Greene County. Individuals have expressed interest in buying townhomes in Terrace Greene but the units are rentals. The County does not have a quality, mixed use residential development.

The proposal for Creekside includes townhomes, patio flats, smaller houses on smaller lots and larger houses on larger lots. The goal is to have a neighborhood people are proud to be a part of.

Mr. Jones said he reviewed Fried Companies lot inventory, which consists of a couple thousand lots that are zoned and ready to go. Of that number, approximately 1,200 are 10,000 sf lots which are the same as other developments. People want something different where they can walk and have parks/play areas. The concept was developed by looking for product and market diversity.

The goal is to achieve a development with an identical vision to that of the Comprehensive Plan to include:

- Concentrate development in designated growth areas.
- Support voluntary use of clustering subdivisions.
- Coordinate public infrastructure improvements into the designated growth areas.
- Increase residential density within designated growth areas to support economic development. Must have “rooftops” to get more businesses in community.
- Encourage infill development in growth area.

- Provide neighborhood parks and passive recreational areas.
- Provide for minor arterial interconnections that augment the principal arterial road system providing new connections and roadways.
- Provide attractive, affordable housing for all residents.
- Increase the County's tax base by providing a high quality neighborhood and community within the County's designated growth area.

Creekside, off Preddy Creek Road, is a by-right development and is approved for 800 single family units. Currently is set up to be served by public water and sewer. The force main is actually in place. The waterline comes down Preddy Creek Road and, with the new water tower, there is adequate capacity.

The idea is to rezone property from A-1 to PUD which allows a different product mix. PUD allows eight units per acre. Site has 400 acres and the total would be 3,200 units. This is not realistic so the proposal is for 580 townhomes and 600 single family units (patio flats or single family detached). Proffers would include a cap of 1180 units. They are willing to proffer out commercial uses except for home businesses so there will not be a commercial component in this PUD. Proffers total approximately \$2 million.

There are two VDOT approved entrances and there will also be inter parcel connections with Country Meadow Subdivision.

On the left side of Preddy Creek nothing really changes except the flexibility to have different size lots. There will be 38% of open green space.

The Village at Preddy Creek will be on the east side with 580 townhomes and 145 patio flat/single family homes. The creek will not be crossed in order to remain sensitive to the environment. VDOT would like a pedestrian bridge to cross Preddy Creek. This will result in two distinct neighborhoods both part of one community. There will be 40% open space on this side.

VDOT would support the increase density only if the developer obtained a site line easement on the blind curve. The plan is not to straighten the curve but rather grade the area and clear trees to allow site distance.

Proffers include a road through Rapidan Center. This road will help alleviate traffic problems at the intersection on Route 29 at Sheetz and the intersection at Matthew Mill Road and Preddy Creek Road. The road would be constructed prior to the first house being built and will be a four (4) lane connector road. Also includes turn lanes on Preddy Creek Road at Autumn Oaks. Fried Companies will also pay for a traffic signal when warranted. The Rapidan Center property is under a long term land lease so the road will not be a public road but will have a public access easement. Fried Companies will build the road at an estimated cost of \$1.6 million and will maintain the road after completion.

Proffers also include \$1,250 per dwelling unit for units 801 thru 1180. This amount, added to other proffers, would total approximately \$2 million.

The proposal is consistent with the Comprehensive Plan and a good opportunity to provide attractive, affordable housing in Greene County.

Mr. Jones said statistics show that townhomes use less water than single family homes. Therefore, they would like to request some relief on the tap fees for the townhome portion of the project. He noted the reduction of tap fees to encourage future development was discussed twelve months ago. The Chairman said the Board has a consultant working on that.

Mr. Jones said the traffic study indicated the increased density at Creekside would generate approximately 70 to 80 cars per hour during peak times. Townhomes create fewer trips and decreasing the number of single family dwellings helped lower the number. The connector road will allow vehicles to get to Route 29 quicker.

Mr. Jones said they would appreciate a review of the fee schedule and any input from the Board of Supervisors. If the Board feels this is crazy, then they'll just build the 800 single family homes.

The connector road would not have to be constructed until there is 350,000 to 500,000 sf of commercial development on the Rapidan site. With the current economic environment and demographics, it could easily be twenty-five (25) years before those criteria are met. Mr. Jones said he met with representatives of Kroger and, for a new store, they require 90,000 homes within a 5 mile radius. Proffers include the construction of the road as soon as approved and the appeal period has expired, with the road open to the public within twelve (12) months.

There will be a one hundred (100) per year cumulative cap on the townhomes. It may be a year or two before construction begins. The project will be controlled by the market.

Mr. Schmitt asked what if the number of houses is held constant but the developer has the ability to do townhomes. Mr. Jones said the problem with that is townhome lots cost more to develop (sidewalks, curb and gutter). He said they are requesting higher density to offset cost of development.

Mr. Frydl noted the State is in process of implementing requirements for sidewalks in standard subdivisions but it has not been approved yet. Mr. Jones said the existing plan for Creekside is approved through 2014 and does not include sidewalks.

Mr. Peyton asked if consideration was given to move the proposed connector road further south so it goes through Terrace Greene. Mr. Jones said the grades do not work in that area for the connector road.

Mr. Skeens asked if the need for a traffic signal on Preddy Creek road is anticipated. Mr. Jones said there are not enough houses in that area to warrant a traffic signal.

The Chairman thanked Mr. Jones and Mr. Lawson for their presentation.

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
- Revenue Recovery

Land Acquisition:

- Water and Sewer

Personnel:

- Administration

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: REVENUE RECOVERY

Upon motion by Clarence Peyton and unanimous vote, the Board awarded the contract for emergency services billing and collection services to EMS Management and Consultants effective July 1, 2011.

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 FOR VETERINARY CLINIC - ALISON POWELL

Mr. Bart Svoboda, Zoning Administrator, reviewed the request for a Special Use Permit from Alison Powell (dba: Quail Spring Veterinary Services) and Greenco Retail N, LLC for a veterinary clinic on approximately 3.00 acres zoned B-3, Business, located on Seminole Trail and identified on County Tax Maps as 66A-3-G.

The clinic will provide standard veterinary services to small animals and provide limited overnight boarding as needed. The proposed location is an end cap at the existing Tierney Retail Plaza. There is an isolated grassed yard that will provide small animals a location to exercise as required. Location is currently served by public water and sewer and is adequately planned for commercial traffic. State and local agencies did not find outstanding matters for the proposed use at this location.

The closest residential neighborhood to the north and east is approximately 400 feet from the proposed location. There is existing vegetation in between the shopping plaza and the adjacent parcels to act as screening.

Article 11 of the Greene County Zoning Ordinance defines a veterinary clinic as a facility that provides the medical treatment and temporary boarding of domesticated animals where there is no public viewing of those animals.

The Planning Commission recommended approved of SUP#11-002 with the following conditions:

- a. The applicant shall comply with the Virginia Uniform Statewide Building Code (USBC) 2006.
- b. The applicant shall not provide outdoor kennels, hereby minimizing outdoor noise pollution.
- c. The outdoor exercise areas shall be entirely and completely cleaned of refuse matter after each use, hereby protecting water quality and minimizing odor nuisance.
- d. The applicant shall construct those areas used for indoor animal boarding and exercise in accordance with the soundproofing guidelines for dwelling units set forth in Section 1207 of the USBC (2006).

Mr. Steve Jones, representative of the applicant, said Dr. Powell would like to locate her practice in Greene County and noted she previously worked for Dr. Hayes. The outdoor area behind the building is a flat area for animals to exercise. Some animals may be there overnight after surgery. Mr. Jones said Best Western does not allow pets and Dr. Powell may, at times, board animals for customers of the hotel.

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

Mr. Schmitt asked if dogs will be on a tether to walk or turned loose. The area will not be fenced in for animals to run free. Mr. Schmitt felt this business will be good for the County.

Mr. Skeens felt this is a great idea.

Mr. Frydl asked if the Special Use Permit applies only to this space and use. Mr. Svoboda said the Permit is specific to a veterinary clinic but the use would run on that parcel. Special Use Permits are specific to the land.

Mr. Frydl asked about soundproofing. Dr. Powell said she has visited other clinics with similar setups and has gotten some good ideas about soundproofing.

Mr. Frydl questioned the reference to the dwelling unit code regarding sound proofing guidelines. He did not agree with using residential code for commercial business as that would be an odd precedent. Mr. Svoboda said that was the recommendation from the Building Official.

Mr. Catalano felt this will be a diverse business and will be good for the County.

Upon motion by Clarence Peyton and unanimous vote, the Board approved the request for a Special Use Permit from Alison Powell (dba: Quail Spring Veterinary Services) and Greenco Retail N, LLC for a veterinary clinic on approximately 3.00 acres zoned B-3, Business, located on Seminole Trail and identified on County Tax Maps as 66A-3-G (SUP#11-002) with the following conditions:

- a. The applicant shall comply with the Virginia Uniform Statewide Building Code (USBC) 2006.
- b. The applicant shall not provide outdoor kennels, hereby minimizing outdoor noise pollution.
- c. The outdoor exercise areas shall be entirely and completely cleaned of refuse matter after each use, hereby protecting water quality and minimizing odor nuisance.

- d. The applicant shall construct those areas used for indoor animal boarding and exercise in accordance with the soundproofing guidelines for dwelling units set forth in Section 1207 of the USBC (2006).

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 FOR MANUFACTURED HOME – CAROLYN ROOF/MISTY ROOF

Mr. Svoboda reviewed the request from Carolyn Roof/Misty Roof for a Special Use Permit for a manufactured home on 1.05 acre tract, zoned A-1, located on Toms Road and identified on County Tax Maps as 61-(A)-44.

The applicant is seeking a Special Use Permit to add a medical hardship manufactured home pursuant to Section 16-5 of the Greene County Zoning Ordinance. There is currently a double wide and a brick rambler located on the parcel. The double wide was situated on the parcel for a medical hardship that was approved July 22, 2981 and renewed May 13, 1996.

Carolyn Roof is now in need of assistance due to a medical condition and is requesting a Special Use Permit for her daughter, Misty Roof, to reside in the existing manufactured home in order to help with daily medications, provide meals, and ensure her mother's overall comfort and health.

The Planning Commission recommended approval of SUP#11-003 with the following conditions:

- The hardship manufactured home shall be removed when the Special Use Permit expires or when the hardship ceases, whichever event occurs first.
- Adequate septic and reserve fields shall be located upon the property in accordance with Health Department regulations.
- All Building Code and Zoning requirements shall be met.
- The Special Use Permit is not valid for more than three (3) years from the date of Special Use Permit approval by the Board of Supervisors.
- The Special Use Permit shall be recorded in the Circuit Court Clerk's Office within 60 days of approved by the Board of Supervisors. (Article 16-2)

Ms. Carolyn Roof, applicant, spoke briefly regarding her request.

The Chairman opened the floor for public comment. Ms. Charlotte Williams, adjoining property owner, asked the Board to deny this request. She felt the application of ordinances should be applied in an equitable manner. When the Board starts granting petitions, they are essentially undermining the County Comprehensive Plan and denying the entire County what was promised in the Plan. The public hearing was closed.

Mr. Schmitt questioned the water and sewer situation. Mr. Svoboda said the site has a private well and septic system. The dwelling units share the septic drain field.

Mr. Frydl questioned the response from the Health Department regarding the connection of a sewer line from an additional home would require updating the current operation permit. Mr. Svoboda said that refers to a third home on the site.

Mr. Skeens questioned the three year time limit. The permit could be renewed or the home would be moved off the parcel.

Mr. Peyton noted the goal of the Comprehensive Plan is to provide decent, affordable housing for all residents. A medical hardship has been verified.

Mr. Catalano said the Zoning Ordinance allows the Board to approve this type request.

Upon motion by Clarence Peyton and unanimous vote, the Board approved the request from Carolyn Roof/Misty Roof for a Special Use Permit for a manufactured home on 1.05 acre tract, zoned A-1, located on Toms Road and identified on County Tax Maps as 61-(A)-44 (SUP#11-003) with the following conditions:

- a. The hardship manufactured home shall be removed when the Special Use Permit expires or when the hardship ceases, whichever event occurs first.
- b. Adequate septic and reserve fields shall be located upon the property in accordance with Health Department regulations.
- c. All Building Code and Zoning requirements shall be met.
- d. The Special Use Permit is not valid for more than three (3) years from the date of Special Use Permit approval by the Board of Supervisors.
- e. The Special Use Permit shall be recorded in the Circuit Court Clerk's Office within 60 days of approved by the Board of Supervisors. (Article 16-2)

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

Motion carried.

RE: PRESENTATION – GEOGRAPHICAL INFORMATION SYSTEM (GIS)

Mrs. Stephanie Golon, Planner, was present to discuss the results of staff's evaluation of the current EAGLE/AutoCAD mapping system as compared to the Geographical Information System (GIS). The review encompassed the annual cost and staff hours used in the maintenance of the current system, mapping efficiency, customer service satisfaction, and compatibility with newer programs.

The County's current data layers maintenance, online mapping and E911/EAGLE maintenance is provided by MSAG Data Consultants (MSAG) based in Orange, VA. The current online product and E911 mapping is a CAD (computer aided drafting) based technology which is used to create precision drawings and technical illustrations. EAGLE is the E911 dispatch program that allows the dispatcher to locate the caller and to use mapping layers to determine the optimal route for first responders. Additional layers, such as zoning and aerial imagery, were added.

Staff has found that a CAD and EAGLE based mapping system has become limited in its function and has placed an encumbrance on all departments. The programs provided by MSAG have been deemed "technically outdated" and services have been deemed "non-vendor

supported” by the Virginia Information Technology Agency (VITA). The outdated services have created a critical condition for the County.

The level of service received has consistently decreased at the same rate the price has increased. Billing is not current due to customer service problems. It has taken months to have customer service or technical problems addressed. MSAG has had a huge staff turnover and is downsizing.

Staff is currently pursuing a grant through the Virginia Information Technologies Agency due to the lack of support from the vendor. The County has been ranked for a grant and may have additional opportunities to expand the mapping and dispatch systems.

Another option is the Geographic Information System (GIS). Benefits of GIS include:

- Providing data that is compatible with adjacent localities.
- Ability to place floor plans and hazardous material locations into mapping layer.
- Generation of reports from current data and conversion into maps.
- Ability to provide the most up-to-date parcel, zoning, assessment value, exact structure location with address and aerial information in a timely manner.
- Ability to import data from CenturyLink to allow E911 dispatchers to more easily located the caller, whether land line or cell phone.
- The current water, sewer, parcel, building and address layers could be significantly improved.

Staff recommends finding an alternate provider for the mapping services that includes current data layer maintenance, online mapping and E911 dispatch program maintenance. Mapping services shall be in GIS format rather than the outdated CAD format. Recommendation is also to update current layers as funds become available.

Mrs. Golon said the County had to pay TJPDC to do the map for the proposed redistricting . If the County had the GIS program, it could have been done in-house.

Mr. Peyton asked if the current equipment is compatible with GIS. Mrs. Golon said it is.

Mrs. Golon also said she sends in quarterly updates which are not reflected for up to six months. Updates should be completed monthly.

Mrs. Golon said the County is ranked 15th by VITA for the grant. If approved, the County would receive approximately \$150,000.

Mr. Frydl asked about the opportunity to sell the maps. Mrs. Golon said it would increase with GIS. She noted she has someone who will help her with the request for proposals (RFP).

It was the consensus of the Board to authorize staff to proceed with the issuance of the RFP for services.

RE: MATTERS FROM THE PUBLIC

REDISTRICTING

Mr. Neil Williamson, Free Enterprise Forum, said he is also a Greene County resident and voter in the Ruckersville district. He said there is much concern from citizens in regards to discussions about voting districts. There is a great opportunity for clarity or confusion.

It was noted a public hearing is scheduled on June 14 to discuss the proposed redistricting.

The Forum supports the increase to four magisterial districts but feels the general direction the Board has provided is rife with unintended consequences.

Mr. Williamson said other localities hold meetings to discuss proposed redistricting and the focus is on keeping incumbents in their district. The main goal is to keep the Board of Supervisors representative in their district and secondly, the School Board representative in their district.

The Forum suggests both districts be renamed so voters understand that these are different. The redistricting should be done in such a way that the current supervisor for the Ruckersville District will retain his seat. This should be communicated to the public prior to the hearing in order to prevent confusion.

Mr. Catalano said the Board directed staff to advertise for the public hearing and the language can be "fine tuned" at the meeting on June 14.

RE: CONSENT AGENDA

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

- a. May 10, 2011 minutes.
- b. Resolution to approve request from STAR to use Courthouse/County Administration grounds and parking areas for Independence Day parade. (See Attachment "A")

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
REDISTRICTING

Mr. Schmitt still feels maintaining the current system is the right thing to do. The Board really has to think through how this is going to play out. All districts are being adjusted. The proposal is to, fundamentally, create two districts out of the current Ruckersville District. The Board can decide which will be the "new" district. Names of the districts do cause problems in terms of perception. Mr. Schmitt suggested Ruckersville East and Ruckersville West.

Mr. Svoboda said the Board needs to act on the redistricting at the June 14 meeting. Changes were advertised as required by the State Code. Mr. Catalano noted the boundaries will remain as proposed and the Board will have to name the districts. Mr. Schmitt said the designation of the "new" district matters as that district will have an election this year.

Mr. Catalano said the Board still has the flexibility to make changes to the proposal at the public hearing. The intent was to get necessary advertisement completed in order to hold the hearing. The language in the County Code and the map can be modified if necessary.

ANIMAL CONTROL

Mr. Peyton asked for a report on enforcement of the county-wide "leash law". Mr. Clark said the dispatcher he spoke with indicated she had not received any complaints.

MUTTON HOLLOW ROAD

Mr. Peyton noted the Route 634, Mutton Hollow Road Project, was advertised in The Daily Progress and asked the County Administrator to make sure that same information is in The Greene County Record.

GRANT APPLICATION


Mr. Peyton said the Economic Development Authority is requesting authorization to apply for a USDA Rural Business Enterprise Grant for the PVCC project. No local match is required.

It was the consensus of the Board to authorize this grant application.

Mr. Schmitt said he would like a copy of the application.

RE: ADJOURN MEETING

The meeting was adjourned at 8:35 p.m. The next scheduled meeting of the Board of Supervisors will be on June 14, 2011.



Steve Catalano, Chairman
Greene County Board of Supervisors

RESOLUTION

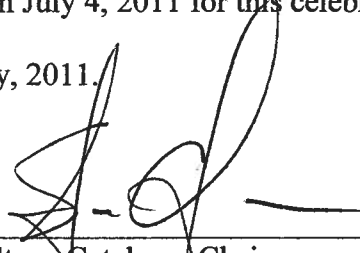
WHEREAS, the Greene County Board of Supervisors wishes to join Americans across the nation in the commemoration and celebration of Independence Day; and

WHEREAS, the Town of Stanardsville is sponsoring an Independence Day parade and celebration which is being organized by Stanardsville Area Revitalization (*STAR*); and

WHEREAS, *STAR* has formally requested use of the Greene County Court House grounds, County Administration Building grounds and nearby parking areas for this event on Monday, July 4, 2011;

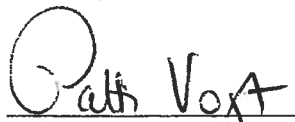
NOW THEREFORE BE IT RESOLVED, that the Greene County Board of Supervisors grants permission to *STAR* to use Court House grounds, County Administration Building grounds and parking areas on July 4, 2011 for this celebration.

Adopted in open meeting this 24th day of May, 2011.



Steve Catalano, Chairman
Greene County Board of Supervisors

ATTEST:



Patti Vogt, Deputy Clerk
Greene County Board of Supervisors