

SEPTEMBER 13, 2011

COUNTY OF GREENE, VIRGINIA

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY SEPTEMBER 13, 2011 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

RE: WORKSHOP

CENTRAL VIRGINIA REGIONAL JAIL

Mr. Glenn Aylor, Superintendent of the Central Virginia Regional Jail, was present to discuss the proposed capital project at the facility. Mr. Aylor briefly reviewed the history of the jail. Member jurisdictions include Fluvanna, Greene, Louisa, Madison and Orange. The Jail was established in January, 1987 and opened on September 1, 1990. Original design was for 96 bed capacity. Two expansion projects increased to 248 beds. Jail Authority was created April 2009. Deed was transferred to Jail Authority in September 2009.

Included in the planned expansion is:

- Larger kitchen
- 200 beds (50 – work release; 50 – re-entry program; 50 – females; 50 – nonconsecutive day sentencing and inmate work force)
- Renovation of existing kitchen area into the existing booking and receiving area

The project has an estimated cost of \$17,000,000. Fifty percent (50%) will be reimbursed from the State after completion (\$8,500,000). The Jail will contribute \$6,000,000 from capital improvement reserves. Localities will be responsible for \$2,500,000. The locality share is based on average prisoner per day of each participating jurisdiction for the preceding three years divided by the total average per day of all participating jurisdictions for the same period. Greene's share will be 15.43% which equals \$385,750. Financing will be with SunTrust at 3.25%.

Reasons for expansion are:

- Reduce overcrowding
- Provide additional bed space for present and future needs
- Much needed larger kitchen to accommodate existing facility, proposed expansion and future expansions
- Ability to expand Work Release Program, Work Force Program and current Rehabilitation Programs

- Ability to implement a Re-Entry Program
- Much needed larger receiving area to accommodate existing and future needs of facility
- Additional State funded staff to operate facility in a manner that is appropriate to the number of inmates and programs

Mr. Frydl asked if there will be a significant increase in operating costs. Mr. Aylor felt there would be some increase in operation costs. The largest expenses are medical costs and staff.

Mr. Schmitt asked if this would be a one time cost. Mr. Aylor said the County could be billed on a monthly or quarterly basis.

Mr. Peyton thanked Mr. Aylor for the outstanding operation and management of the jail facility. He noted the Jail Board has strict budget policies and there were no discrepancies in financial audits.

Mr. Aylor said funds from localities would be needed in 2014/2015. He said he sent letters to legislators and the governor asking for their support. A letter of support from Greene County would be much appreciated.

CAPITAL PROJECTS

Mr. Catalano said the Board had placed a lump sum of money in the Capital Projects line item during the budget process for fire trucks, school buses, comfort station, water impoundment, land acquisition, pay off Courthouse. Mr. Schmitt said the only items included were school buses, fire trucks, comfort station and rescue squads.

Mrs. Tracy Morris, Finance Director, said the school buses and Sheriff's vehicles that have already been ordered are included in the debt line item in the current budget. They are not part of the capital projects category. Additional school buses to begin the replacement program are included in capital projects.

Mr. Catalano distributed a draft of a proposed agreement between the County and the three individual volunteer fire departments regarding the purchase of fire trucks. The County would increase quarterly allocations to cover the cost of the trucks up to \$500,000. The agreement must be reviewed by the County Attorney. Mr. Catalano read the basic eligibility requirements and process/procedure

Mr. Peyton asked how these funds would be earmarked. Mr. Catalano said the funds would be included in the capital project line item.

Mr. Schmitt suggested the fire departments provide a maintenance plan for the equipment after purchase.

Mr. Catalano said financing for fire trucks is typically ten years. This program would not cover interest on a loan. It will cover only the principal amount up to \$500,000 which will help departments get loans they might not otherwise qualify for.

Mr. Frydl suggested the provisions allow for the purchase of two pieces of equipment if the departments find "good buys". Mr. Catalano felt the County should wait for the results of this program. The Board of Supervisors can do this again in the future. He said the County will not be involved in the choice of equipment. The total yearly allocation could be up to \$150,000.

In regards to school buses, the proposal is to purchase five (5) at a cost of approximately \$89,000 each. This will begin the replacement program as proposed and will not add to the fleet. It could be possible for the Schools to keep two buses as spares.

The Board discussed financing the purchase of the buses as opposed to paying cash which would be approximately \$450,000. It was noted funds could be used for other purposes if the school buses are financed.

Mrs. Morris said the Board had allocated a total of \$800,000 for capital projects. Of that amount, \$400,000 was for water impoundment; \$324,000 was for vehicles and equipment and \$76,000 was for the Park project. Funds can be moved to different projects if so desired.

Mr. Schmitt did not agree with the inclusion of water impoundment in capital projects. He said only the Park project, buses, Sheriff's vehicles and fire trucks were included in Capital Projects. He remembered the Board talked about setting aside funds separately for water impoundment.

Mr. Catalano said the one thing that complicates this is the situation with the Rescue Squad. Some out-of-budget capital outlays and more capital projects than originally anticipated could be required. He said the only reason he would agree to finance the buses would be so the County could use the funds elsewhere as needed.

Mr. Frydl said he likes the fact that right now we use excess revenues over expenses to cover capital projects. It would be nice to pay for the school buses as fast as possible.

Mr. Catalano said the original discussion was for one ambulance unit but now it could be two units at approximately \$200,000 each. After deducting funds for fire trucks and buses, the remaining amount of \$490,000 could be used to cover rescue squad issues if necessary.

Mr. Frydl said the comfort/concession station is being built at the Park thanks to a generous donation. He asked if there is a capital project of value to consider as replacement for that project. Mr. Schmitt said the Recreation Advisory Committee is working on that and felt the current project could be finished using the \$20,000 generated by cutting trees and earmarked for the Park. Mr. Frydl suggested the County Administrator contact the Director of Parks and Recreation regarding projects.

Mr. Peyton asked how the purchase of school buses with a three year finance term would affect the replacement program. The Board agreed this would not affect the replacement program as proposed.

Mr. Frydl said capital projects are part of the budget every year and we have an opportunity and the ability to use excess revenues over expenses as capital project money. He did not feel we need to build the reserve fund any greater than it is. Funds can be spent without contributing to the reserve fund and still not lose money on reserve fund.

Mr. Catalano recapped the discussion as follows:

- Proceed with lease/purchase of five (5) school buses
- Proceed with agreements with fire departments regarding purchase of fire trucks after County Attorney has reviewed and approved agreement

RESERVE POLICY

Mr. Schmitt distributed copies of a reserve policy he drafted as follows:

The County will maintain a reserve fund for use in addressing emergency funding demands such as may occur with a significant shortfall in federal or state funding, other major unanticipated revenue shortfalls, or disaster response that requires immediate funding expenditure.

Reserve Fund Goals:

- \$2 million in secure Certificates of Deposit
- Maintaining a minimum positive \$3 million balance in the County checking account on about April 31. (The lowest balance point in the account over the annual revenue cycle and the balance approximately when the next year's budget is adopted.)

Establish a capital investment category in the budget consisting of:

- Budgeted capital outlay
- Future capital improvement projects
 - Facilities
 - Equipment
 - Land

Mr. Schmitt also had developed a graph charting the County's bank balance for 2009, 2010, and 2011 to-date.

The County Budget is normally adopted in late April/early May. Even at the low point, with the least amount of revenue and balance in the bank, we will have a total of \$5 million as a reserve fund consisting of \$2 million in secure certificates of deposit and the remainder in the checking account.

Mr. Schmitt also suggested that for future capital improvement projects, the County could allocate funds in excess of the \$5 million reserve for projects we know are going to have to be done (i.e. water impoundment, land acquisition, future jail needs). This would allow the County to build up capital funds.

Mr. Catalano noted some of the preliminary models on water and sewer indicate a negative cash flow for an extended time period if the impoundment is built. He asked what part of the existing reserve balance do we hold somewhere to fund that project if the right economic development initiatives occur. Where do we keep an extra reserve for this one project? Mr. Schmitt responded he would build it into the budget.

Mr. Peyton said the balance on hand is substantially more. If the reserve continues to grow will it be called something else?

Mr. Schmitt said the Board would decide every year. Obviously, the County has been gaining which gives us funds to work with. Where do we want to put the funds or do we move forward with a capital project?

Mr. Catalano asked if there is anywhere in this proposal for excess funds to be used to actually pay principal for the existing debt.

Mr. Frydl said, historically, the County has had to borrow money. The time when the County didn't have to borrow was when there was 10% unreserved funds. These funds were at the end of the year in the audit. Unreserved funds is money that is available for allocation. The GASB recommends a minimum of 10%. Mr. Frydl thought a conservative view would be to hold 15%, at a minimum, as a policy which would protect us from fluctuations such as shortfall in revenue, unexpected expenses, earthquake, etc. He advocates for a minimum 15% reserve fund for the County.

A year ago, the unreserved funds were 26% (\$13.9 million) which is well over a conservative amount that covers fluctuations. Mr. Frydl felt the County has good reason to hold that money right now due to unsure revenue streams, pending capital projects, and a lot of uncertainty. He suggested keeping that existing reserve available for any capital project that the Board sees as valuable.

In the past, the County has been building the unreserved funds because we were ultra-conservative and because of issues with updating of the accounting and veracity of those numbers. Each year in the budget cycle we would allocate from \$1 million to \$2.5 million to the unreserved fund as a budget line item. The fund also grew due to the fact that most departments spent less than what was budgeted.

Mr. Frydl said a lot of the future capital projects can be done in the same way as the original discussion the Board had tonight. The Board set aside \$800,000 that did not reduce the existing unreserved funds and didn't take away from anything else. The Board was then able to allocate current year's revenue over expenses to capital projects. The Board can allocate that money each year without drawing down the unreserved fund. The reserve should not be drawn on until there is stability and focus on what costs might be and a valid reason to do it. Mr. Frydl did not think the reserve should be built any further as a policy.

Mr. Catalano said we're in the best shape of any locality around because of the hard decisions the Board has had to make. He noted there are extensive capital projects on the horizon with water and sewer and the County is going to have to subsidize those operations which could add up to \$80 million.

Mr. Frydl said there is no way we can or should spend 6% of our budget on water and sewer. Complaints are made when 10% goes to the schools.

Mr. Catalano said the County might encounter a mandated situation. If the property is secured but the project is not built, that's fine. There is still the existing debt which the County is obligated for. Everything centers around the impoundment project.

Mr. Schmitt felt the difference is not all that great and asked what is a good number. There are complaints from citizens about all the money in the "rainy day" fund. He felt 15% would just be more money setting out there, seemingly not going anywhere, not being used. If the money is instead put under capital projects, not to spend but to save for future capital projects, the County would really have another reserve fund.

Mr. Frydl felt that is still semantics. If someone is going to complain, they will complain if the funds are in the capital projects line item or in the general operating budget. Mr. Catalano agreed it is about semantics and felt "reserve" is actually the worst thing to call it.

Mr. Frydl said he would like to see the County have a 15% reserve that is kept in perpetuity unless there is a severe crisis. With a 25% reserve right now, the amount is 11% above that figure. He feels there are valid reasons to keep those funds and does not care what it is called. The County is not spending it because of the bad economy, insecure revenue streams, cuts by the Federal and State governments, and capital projects like water impoundment. We have valid needs right now to hold that extra 11%. Mr. Frydl said if next year there is a valid reason to spend part of that 11% in addition to what we may have for that budget year, then it can be spent. Until then there are valid reasons to keep the funds.

Mr. Catalano noted the issue is subject to a vote at any time. He agreed with Mr. Schmitt in that people think the Board is hoarding money. This money insulates the taxpayers and business community from the undulations from a bad decision, a bad storm. He did not think we can have too much when we have a \$2 million per year debt that we don't have the money for. If we were still generating those funds in the enterprise fund, he would have a totally different posture.

Mr. Schmitt asked under what circumstances would the unreserved fund be accessed. He envisions the reserve fund as one that would never be touched unless there is a major catastrophe. He felt the funds should be more liquid in the sense that they are in a place where the Board can make the decision to use or not use.

Mr. Frydl reiterated his earlier comments. He felt it would be irresponsible to add to the unreserved fund but right now there are valid reasons to hold that money. The Board could put 11% in available money because that is above and beyond the 15%. If we get to a point where there are firm ideas on revenue, the economy picks up, the impoundment is resolved, then the 11% could be spent.

Mr. Catalano suggested the Board asked the auditor to attend a workshop to discuss the reserve fund. He could make suggestions regarding a policy that is consistent with his management of County finances. Mr. Frydl said he did not like that idea at all and felt that would be abdicating the Board's responsibility to Mr. Huff. Mr. Catalano felt the Board is arbitrarily grabbing at a percentage and he would like to hear what Mr. Huff would have to say.

Mr. Frydl said the Government Accounting Standards Board recommends a minimum of 10% with 15% being very common. Anything over 15% needs to be justified. That is where he got the numbers with 10% as the absolute minimum and 15% giving the County a safety factor.

Mr. Catalano said the very nature of this discussion shows how arbitrary it is. The Board needs to get the information necessary to make the proper decision.

It was the consensus of the Board to continue this workshop to the next meeting that Mr. Huff would be able to attend.

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

Land Acquisition:

- Water and Sewer

Legal:

- None

Personnel:

- Economic Development
- Administration

Various Appointments:

- None

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

Motion carried.

Upon motion by Clarence Peyton and unanimous vote, the Board returned to Open Session.

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

Motion carried.

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

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

Motion carried.

RE: PUBLIC MEETING

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

RE: PUBLIC HEARING – RAPIDAN SERVICE AUTHORITY – AMEND ARTICLES OF INCORPORATION

Mr. Dudley Pattie, General Manager of Rapidan Service Authority, was present to discuss the request to amend the Articles of Incorporation to extend the term for the existence of RSA as a corporation to December 31, 2061. This is necessary to allow RSA to maintain the ability to sell bonds to finance infrastructure. All participating localities will need to adopt this resolution.

The Chairman opened the floor for public comment. There were no comments made.

Upon motion by Carl Schmitt and unanimous vote, the Board approved the resolution as presented. (See Attachment “A”)

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

Motion carried.

RE: PIEDMONT VIRGINIA COMMUNITY COLLEGE

Dr. Frank Friedman, President of PVCC, and Mrs. Laila Bare, Greene County representative on the PVCC Board, were present. Dr. Friedman reported the following:

Total number of students enrolled at PVCC in 2010-11	- 7,817
Total number of students from Greene County	- 500
Number of recent graduates from Greene enrolled	- 35

Dual enrollment – Greene - 75
Credit Distance Learning Courses - Greene - 194

Opened the Kluge/Moses Science Building which enabled the expansion of the health career programs. The Stultz Center for Business and Career Development (old Monticello Visitor Center) also opened. PVCC is now graduating almost 200 students per year that go can right to work in a health career.

The plan is to open the Greene County Center one year from now in the fall of 2012. Of the \$750,000 goal to equip the space, approximately \$375,000 has been raised so far. Dr. Friedman said he plans to take the proposal to the Foundation Board for authorization to proceed with the project.

The curriculum for the Greene County Center is still being considered. The core will be general studies/liberal arts which is basic transfer curriculum. Also, they want to have some workforce programs that will get people directly into the job market. There are three possibilities: a nursing lab with licensed practical nursing and certified nurse assistant programs based here; make this the center for what is planned to be done with intelligence community; or information technology with emphasis on hottest fields right now which are networking and security.

Dr. Friedman said younger students want to earn a bachelor degree. They attend PVCC for their first two years for general studies, liberal arts, education, science, etc. that leads to transfer. However, older students (25-45 and older) need and want skills that will translate right away into a job.

Dr. Friedman said he has already spoken with John Halliday, Jefferson-Madison Regional Library, and Gordon Walker, JABA, who are tenants in the lower part of the building. PVCC wants to be a community partner.

Mr. Skeens said PVCC does a great job with students. He felt a lot of young people are looking for careers in the medical field today. We can certainly use this in our community.

Mr. Catalano said he is really pleased PVCC is coming to Greene County and has had lots of good, positive feedback.

RE: LEGISLATIVE PROGRAM

Mr. David Blount, Legislative Liaison, was present to discuss the 2012 Legislative Program. Priorities this year include Chesapeake Bay TMDL, state/local funding and revenues, public education funding, land use and growth management, transportation funding and the Comprehensive Services Act.

Mr. Blount said there will be \$300,000,000 more for re-bench marking public education costs. Also, VRS rates are going to increase. There are continuing and ongoing pressures in law enforcement, health and human services, Medicaid, etc.

There has been a lot of talk about the State pushing responsibility for maintenance and construction of secondary roads down to localities. That responsibility should remain with the State.

The annual meeting with legislators will be held on November 29th and there will be discussion on secondary roads.

Mr. Blount will return with the final draft of the program in November.

RE: RIVANNA RIVER BASIN COMMISSION

Ms. Leslie Middleton, Executive Director of the Rivanna River Basin Commission, was present to report on the Storm Water Retrofit Study and review the Memorandum of Agreement with the Rivanna River Basin Commission regarding partnership in the National Fish & Wildlife Foundation Storm Water Grant project. Funding from this grant will help to defray costs of storm water management BMPs and upgrades at the Greene County Park. Also, provide educational signage about storm water at the Park.

The installation of the bio swale at the Park will begin next Monday and heavy equipment will be moved in to work on the erosion problems at the stream. The Memorandum of Agreement outlines the roles and responsibility of the RRBC and Greene County in the implementation of the various components of the NFWF grant in Greene County.

Ms. Middleton said the Storm Water Retrofit Report is also a tool for the School Board as well. It can be used as an education opportunity to involve kids in projects to better understand how storm water can be managed

It was the consensus of the Board to authorize the County Administrator to sign the Memorandum of Agreement on behalf of the County.

Mr. Schmitt thanked Ms. Middleton for all the work she and staff have done on this project. Mr. Frydl added thanks to RRBC, Bart Svoboda, Stephanie Golon, Julius Bates, Mrs. Ethyle Giuseppe and the Ruritans for this community effort.

RE: FIRST READING OF ADDITIONAL APPROPRIATION – MEDIC 5 PERSONNEL

The Chairman said this is the first reading of the request for an additional appropriation in the amount of \$100,000 to fund additional Medic 5 personnel to support the Greene County Rescue Squad. The County currently has a contract with UVA to provide personnel.

The second reading will be at the next meeting of the Board.

RE: MATTERS FROM THE PUBLIC

EDA AND CHAMBER REPORT

Mr. Robbie Morris briefly reported on past, present and future activities of the Chamber of Commerce and the Economic Development Authority which included:

- A social at Lydia Mountain Lodge
- Leadership Charlottesville
- High school football game
- Candidates forum – September 28 – Board of Supervisors candidates only
- Candidates forum – October 13 – all candidates
- October 8 – Chili Cook Off – 11:00 to 6:00
- October 11 – Chamber Lunch and Learn – Excel
- Parade of Lights – December 3rd

RE: CONSENT AGENDA

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

- a. Minutes of August 23, 2011 meeting.

- b. Resolution to authorize a lease purchase agreement for Sheriff's Department vehicles and school buses with an amount not to exceed \$430,000. (See Attachment "B")
- c. Resolution to declare October, 2011 Domestic Violence Awareness Month. (See Attachment "C")

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

CENTRAL VA REGIONAL JAIL

Upon motion by Clarence Peyton and unanimous vote, the Board approved the resolution regarding the expansion of the Central Virginia Regional Jail. (See Attachment "D")

Recorded vote:

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

Motion carried.

THOMAS JEFFERSON PLANNING DISTRICT COMMISSION

Mr. Schmitt said the TJPDC, in a recent project with VDOT funding, was able to connect a lot of GIS information with road planning. This could help steer roads in ways that would minimize impacts.

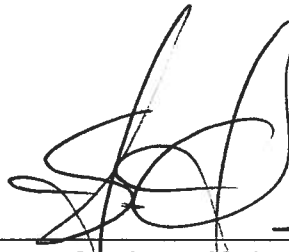
Also, in a recent study, Greene County was at the top of the list of localities who received the most from TJPDC per dollars invested.

SCHOOLS

Mr. Frydl said he attended the football game Friday night and there was a huge turnout with approximately 2,500 people attending.

RE: CONTINUED MEETING

The meeting, which ended at 8:45 p.m., was continued to Tuesday, September 27, 2011 at 5:30 p.m. in the County Meeting Room.



Steve Catalano, Chairman
Greene County Board of Supervisors

**CONCURRENT RESOLUTION OF THE BOARDS OF SUPERVISORS OF ORANGE,
MADISON AND GREENE COUNTY, VIRGINIA, TO AMEND THE ARTICLES OF
INCORPORATION OF THE RAPIDAN SERVICE AUTHORITY**

WHEREAS, the Boards of Supervisors of Orange, Madison and Greene County, Virginia, by concurrent resolutions adopted June 17, 1969, resolved to create the Rapidan Service Authority under the Virginia Water and Sewer Authorities Act (Chapter 28, Title 15.1, Code of Virginia, 1950, as amended);

WHEREAS, a Certificate of Incorporation was issued by the State Corporation Commission on June 24, 1969;

WHEREAS, a first Certificate of Amendment was issued by the State Corporation Commission on July 18, 1980, and a second Certificate of Amendment was issued by the State Corporation Commission on August 31, 1984; and

WHEREAS, a third amendment to the Articles of Incorporation is now necessary to extend the term for the existence of the Rapidan Service Authority as a corporation.

Now, therefore, it is hereby RESOLVED by the Board of Supervisors of Orange County, Virginia, the Board of Supervisors of Madison County, Virginia, and the Board of Supervisors of Greene County, Virginia, in separate meetings assembled, that the following third Articles of Amendment to the Articles of Incorporation of the Rapidan Service Authority, be, and it hereby is adopted, to wit:

SECTION 2(e) is amended to state:

“The Authority shall have existence for a term of 50 years from January 1, 2011, as a Corporation.”

In Witness Whereof, the Boards of Supervisors of Orange County, Madison County and Greene County, Virginia, respectively, have caused this third Articles of Amendment to the

Articles of Incorporation for the Rapidan Service Authority to be executed on their behalf by the Chairman of the respective Boards of Supervisors, and their seals to be affixed and attested by their respective Clerks on the dates written beside their signature.

Date: _____

Orange County, Virginia

By: _____
Chairman, Board of Supervisors

(Seal)
Attest:

Clerk

Date: _____

Madison County, Virginia

By: _____
Chairman, Board of Supervisors

(Seal)
Attest:

Clerk

Date: 9-13-11

Greene County, Virginia

By: _____
Chairman, Board of Supervisors

(Seal)
Attest:



Clerk

RESOLUTION

AUTHORIZING A LEASE PURCHASE AGREEMENT, SERIES 2011 ("BANK-QUALIFIED")

WHEREAS, Greene County, Virginia (the "County") proposes to enter into an exempt lease purchase financing in order to pay capital costs to acquire and equip two (2) Sheriff's Department vehicles for essential governmental use and purposes in the County and five (5) school busses to be titled in the name of the School Board of the County and used in connection with the operation of the Greene County Public Schools (the "Project"), as further described herein.

WHEREAS, in a letter to the County dated August 24, 2011 (the "Bank Term Sheet", a copy of which is attached hereto as Exhibit A), 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 2011 ("Bank-Qualified") (the "Agreement"), to be dated and delivered by the County on or around September 20, 2011, between the Bank, as Lessor thereunder, and the Board of Supervisors the County, as Lessee thereunder (the "Board").

WHEREAS, pursuant to the terms of the Bank Term Sheet and 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, as Lessor, will lease the Project to the County, as Lessee.

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 Bank Term Sheet and 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 essential governmental purposes.

In addition, as to the portion of the Project that constitutes the school busses, the County further finds and determines that such lease purchase financing arrangements shall provide the most cost-effective means for the County to acquire and provide such personal property, as set forth in the County's 2011-2012 capital budget, for the benefit of, and use by, the Greene County Public Schools. To such end, the County hereby directs that the school busses shall be titled in the name of the School Board of the County in connection with its ownership, general operation, and maintenance of school busses for the benefit of the Greene County Public Schools.

2. Approval of Bank Term Sheet and Agreement; Designation of Agreement and Details. The Board hereby approves the general lease purchase terms as presented by the Bank and required under the conditions of the Bank Term Sheet and provisions of the Agreement. Accordingly, it is to be understood that, upon commencement of the Agreement and the Bank's payment of the costs of the Project, security liens in favor of the Bank shall be filed with respect to such personal property that comprises the Project, all in accordance with the requirements and procedures of the Virginia Department of Motor Vehicles.

The payment of \$250 Bank Fees (as set forth in the Bank Term Sheet) 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 2.0% per annum, in arrears; shall be designated, "*Greene County, Virginia Lease Purchase Agreement, Series 2011 ("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 \$430,000, and the Agreement shall bear interest in arrears at a rate not to exceed 2.0% 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 \$10 million limitations therein, including the covenant that the County reasonably anticipates that no more than aggregate \$10,000,000 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 2011 in accordance with the "bank qualification" requirements of Section 265(b)(3) of the Code.

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: September 13, 2011

**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			
Michael R. Skeens	X			
Carl H. Schmitt	X			

Dated: September 13, 2011

GREENE COUNTY, VIRGINIA

[SEAL]



Deputy Clerk of the Board of Supervisors

COUNTY OF GREENE



PROCLAMATION

WHEREAS, violence against women, children, and men continues to become more prevalent as a social problem in our society.

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial and societal barriers, and are supported by societal indifference; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse, with the impact of this crime being wide-ranging, affecting individuals and society as a whole; and

WHEREAS, in our quest to impose sanctions on those who break the law by perpetrating violence, we must also meet the needs of victims of domestic violence who often suffer grave physical, psychological and financial losses; and

WHEREAS, it is victims of domestic violence themselves who have been in the forefront of efforts to bring peace and equality to the home; and

WHEREAS, no one person, organization, agency or community can eliminate domestic violence on their own—we must work together to educate our entire population about what can be done to prevent such violence, support victims/survivors and their families, and increase support for agencies providing services to those community members; and

WHEREAS, for 32 years, the Shelter for Help in Emergency has led the way in the County of Greene and five surrounding communities of Planning District 10 providing unparalleled services to women, children and men who have been victimized by domestic violence. These services include 24-hour crisis hotline, safe shelter, case management and support services, legal advocacy, information and referral and safety planning; and

WHEREAS, In 2011, in Greene and the five surrounding counties of Planning District 10, the Shelter for Help in Emergency offered 24-hour intervention and referrals in response to 801 hotline calls; safe shelter to 115 women and 102 children, for a total of 3,981 nights; over 4,000 hours of advocacy and counseling; including advocacy services to 134 women who did not stay in our residential facility; provided information and educational materials to over 10,000 members of the community; with support from 7,500 volunteer hours; and

NOW THEREFORE, BE IT RESOLVED, in recognition of the important work being done by the Shelter for Help in Emergency, that I, Steve Catalano, Chair of the Greene County Board of Supervisors, do hereby proclaim the month of October 2011 as DOMESTIC VIOLENCE AWARENESS MONTH, and urge all citizens to actively participate in the scheduled activities and programs sponsored by the Shelter for Help in Emergency, and to work toward the elimination of personal and institutional violence against women, children and men.

Signed and sealed this 13th day of September, 2011.



Steve Catalano
Chair, Greene County Board of Supervisors

**RESOLUTION OF THE BOARD OF SUPERVISORS OF GREENE COUNTY,
VIRGINIA REGARDING THE EXPANSION OF THE CENTRAL VIRGINIA
REGIONAL JAIL**

WHEREAS, The Counties of Orange, Greene, Madison, Fluvanna and Louisa, Virginia (collectively, the "Participating Jurisdictions"), operate the Central Virginia Regional Jail (the "Regional Jail") through a Regional Jail Authority, formed pursuant to Chapter 3, Article 5 of Title 53.1 of the Code of Virginia, 1950 as amended, and pursuant to an agreement dated February 12, 1988 and amended on November 18, 2008;

WHEREAS, by Resolution dated November 18, 2008, the Board of Supervisors of Greene County considered plans by the Participating Jurisdictions to make improvements to the existing Regional Jail facilities, including the construction of an expansion thereto to provide 200 additional beds, and any necessary improvements to the existing facility to accommodate the additional bed space (the "Project");

WHEREAS, by Resolution dated November 18, 2008, the preliminary estimate of the capital costs of the Project was Ten Million Dollars (\$10,000,000.00), and the Project is to be financed as provided in Chapter 3, Article 3.1 of Title 53.1 of the Code of Virginia, 1950, as amended (the "Act").

WHEREAS, by Resolution dated November 18, 2008, to the extent there were other capital costs, including financing proposal costs, the County found that inclusion of such information was impractical;

WHEREAS, after consideration of the actual, approved planning study by the Virginia Board of Corrections on July 10, 2011, it has become apparent that the estimate of the capital costs of the Project are Sixteen Million, Nine Hundred and Twenty-Eight Thousand, Three Hundred and Eighty Two Dollars (\$16,928,382.00);

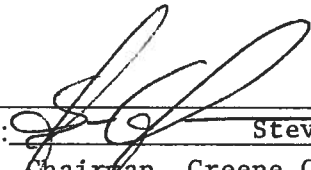
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF GREENE COUNTY, VIRGINIA

That the revised preliminary estimate of the capital costs of the Project is Sixteen Million, Nine Hundred and Twenty-Eight Thousand, Three Hundred and Eighty Two Dollars (\$16,928,382.00), instead of Ten Million Dollars (\$10,000,000.00) as set forth in paragraph 5 of the Resolution dated November 18, 2008; and, the remaining provisions of that Resolution remain in effect and unchanged.


This Resolution shall take effect immediately.

The members of the Board of Supervisors of Greene County, Virginia, voted as follows on the adoption of this Resolution on this 13th day of September, 2011.

<u>Ayes</u>	<u>Nays</u>	<u>Absent</u>	<u>Abstentions</u>
Steve Catalano Clarence Peyton Jim Frydl Carl Schmitt Mike Skeens			


Name: Steve Catalano
Title: Chairman, Greene County Board of Supervisors

ATTEST:


Name: Patti Vogt
Title: Deputy Clerk, Greene County Board of Supervisors