

October 8, 2013

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, OCTOBER 8, 2013 AT 6:30 P.M. IN THE COUNTY MEETING ROOM.

Present were: Jim Frydl, Chairman
Davis Lamb, Vice Chairman
David Cox, Member
Eddie Deane, Member
Clarence Peyton, Member
John C. Barkley, County Administrator
Ray Clarke, County Attorney

RE: EXECUTIVE SESSION

Upon motion by Davis Lamb 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.

1) MATTERS PERTAINING TO THE GREENE COUNTY RESCUE SQUAD

Virginia Code References

- 2.2-3711 A3: Discussion or consideration of the acquisition of real property for a public purpose, or the disposition of publicly held real property
- 2.2-3711 A.7: Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel

2) PERSONNEL MATTERS – RECRUITMENT AND APPOINTMENTS

Virginia Code Reference

- 2.2-3711 A.1: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body

Recorded vote:	Jim Frydl	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Clarence Peyton	-	Yes

Motion carried.

Upon motion by Davis Lamb and unanimous vote, the Board returned to Open Session.

Recorded vote:	Jim Frydl	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Clarence Peyton	-	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:	Jim Frydl	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Clarence Peyton	-	Yes

Motion carried.

RE: PUBLIC MEETING

The Chairman opened the meeting with the Pledge of Allegiance followed by a moment of silence in remembrance of victims of domestic abuse.

RE: PUBLIC HEARING – REZONE REQUEST FROM CRBFAB, LLC/EARS I, LLC

Mr. Svoboda reviewed the request from CFBFAB, LLC/EARS I, LLC to rezone from B-2, Business, to B-3, Business, a 3.09 acre tract located on Buck Drive/Seminole Trail and identified on County Tax Maps as 60E-(A)-6B. (RZ#13-002)

The property is currently zoned B-2 and has improvements. The parcel is ideally situated in proximity to infrastructure and the trend of growth is occurring in this area for more intense uses. Also allows the proposed development to be more economically feasible under the proposed zoning.

The Comprehensive Plan supports economic growth. A goal of the Plan is to encourage mixed-use development in growth areas that offer commercial, office and residential development. The Future Land Use Map designates this parcel in a growth area as a mixed use village center.

The permitted uses within the business (B-1 thru B-3) districts have recently underwent a major revision to eliminate the need to proffer out uses, as the districts have been designed to incorporate the appropriate uses.

The Planning Commission recommended denial of the rezoning request due to the following:

1. This area is a buffer zone between a major highway and a residential area.
2. There is an adequate supply of B-3 zoning next door.
3. There are too many B-3 uses that are not appropriate for this site.

The applicant has submitted proffers to address the concerns of the Planning Commission since the Commission's meeting in August. Mr. Svoboda reviewed proffers as submitted which includes an evergreen buffer of six foot tall pines. Uses removed include dance halls; fireworks, temporary only; hotels/motels; night clubs; and parking structure, open and non-accessory for

store of private passenger autos only. No Special Use Permit uses have been removed as part of the proffer.

Mr. Greg Johnson, Attorney for CRBFAB and Manager of EARS I, LLC, was present on behalf of the applicant. Mr. Bill Gentry, Jefferson Land and Realty, and representatives of Home Paramount Pest Control, Mr. Paul Hoffman, and Mr. Dale Trombley were also present.

Mr. Johnson noted Home Paramount Pest Control is a current tenant of the property. The developable part of the property is little less than an acre. In addition to Home Paramount there is also a fire safety business office and a small farming business. It is the intent of the owners to continue these uses indefinitely. At some point in time, the property will more than likely be sold.

Mr. Johnson pointed out that Kinvara is a PUD development which includes B-3 uses by right. An auto repair shop is located directly across Seminole Trail on B-3 zoned property. Feels this is request is consistent with the Comprehensive Plan for this area. The property is right in the middle of future development.

The developers of the Kinvara property will more than likely need to make improvements at the intersection with Seminole Trail. The applicant will probably wait on these improvements before developing or selling this property.

B-3 zoning will also benefit the County. Kinvara will have B-3 uses and hopefully whatever development occurs on this property would be consistent and compliment that development. Also optimize use of infrastructure. Rezone would increase tax base by attracting better quality business and increasing employment which will bring in more tax revenue for the County. Applicant understands traffic concerns but thinks customers frequenting business on this property would be using Route 29 anyway. Any increase in traffic would be negligible.

Mr. Dale Trombley, Technical Specialist with Home Paramount Pest Control, spoke briefly on the services offered by the business which was established in 1939 and has 30 offices in 5 states.

The Chairman opened the floor for public comment.

Marianne Shepard – resident of Deer Lake Estates – this greatly impacts her – greatest concern is what B-3 opens up for neighborhood – concerned about traffic, scary to get in and out of neighborhood now – have plenty of B-3 in Greene County that’s not being used – Paramount is already there – it’s not commercial right behind parcel – appreciate the Board saying no to this request – Planning Commission voted down

Michael Traber – resident of Deer Lake Estates – pro-business – understands need to bring more business to generate more tax revenue – Paramount is great neighbor – hardly know they are there – no problem with Paramount – issue is “slippery slope” – lot of unused B-3 land - voted down by Planning Commission – asked Board to do same thing

Diane Behrens – resident of Deer Lake Estates – knew property was rezoned from B-1 to B-2 to allow business – buildings were model homes – not meant to be commercial businesses – property offers buffer zone between major highway and residential area – Greene County has adequate B-3 zoning without this piece of property rezoned – too many B-3 uses that are not appropriate for this site – applicant mentioned selling of property – backdoor to future use of property for less desirable B-3 businesses – Paramount is good neighbor – The Glenn HOA pays for lake maintenance and dam inspection – integrity of lake could be compromised – asked Board to deny request

Chap Womack – resident of Deer Lake Estates – none of these people live in area and don't have to look at this every day – Would bring tax base up but what will it do to value of homes in Deer Lakes when homes can't be sold because of having to drive by something unattractive to get to neighborhood? - potential problem with traffic - more families have moved into subdivision - referred to comments by Dan Ratzlaff in Dec 2009 regarding draining into lake and creek – urged Board to deny rezoning

Clark Yarbrough – resident of Deer Lake Estates – developer wanted to give lake to residents of The Glenn – Mr. Gentry and partners knew requirements that would be placed on lake that are now the responsibility of residents of The Glenn – paying thousands of dollars every year to maintain lake and dam – not fair to 37 houses in The Glenn

Vince Coviello – resident of Deer Lake Estates – agreed with previous comments – this is basically gateway to residential area – a lot of inappropriate development could take place if B-3 granted at this time – recommend denial

Craig Hearn – resident of Deer Lake Estates – agreed with neighbors – spoke on progression of zoning in area - If they want B-3 they need commercial entrance/access to property off Route 29, not off residential street. – deny request

Vaughn Kowahl – resident of Deer Lake Estates – echoed comments of fellow residents – deny request – traffic on Buck Drive, uses allowed would be problem, issues regarding lake – vote no

Cameron Conger – resident of Deer Lake Estates – echoed sentiments of fellow residents - tax base of a healthy community is a mix of commercial, residential and other uses – deny request

Lee Doherty – resident of Deer Lake Estates – residents of area don't want, don't need – heard more tonight than at last meeting about selling the property

David Holtzman – Land Use Officer for Piedmont Environmental Council – What will development look like? - applicant has provided little information – gateway to community – site has a lot of visibility – Board should consider design guidelines for areas like this

Jeff Kunkle – resident of The Glenn – Why at the entrance to one of biggest neighborhoods in Greene? – this is residential area - not for businesses – let common sense prevail and vote no

The public hearing was closed.

Mr. Greg Johnson said it is his understanding that the entrance has already been approved as a commercial entrance for the purpose of the Kinvara development so there will be commercial traffic coming off Seminole Trail to Buck Drive to access that development. Any additional traffic resulting from their development would be relatively small compared to Kinvara.

Mr. Bill Gentry said he used to live in Deer Lake Estates on Doe Drive and spoke briefly on the history of the area. He said change happens sometimes because of the Comprehensive Plan. Nobody wants their comfortable world impacted. If a house is sold, the new neighbors could be less than expected. Home Paramount is a very good corporate citizen. Mr. Gentry felt the proffers presented tonight would be a real benefit to the community.

Mr. Davis Lamb questioned the type of chemicals use by Home Paramount Pest Control. Mr. Trombley said this branch uses general use pesticides.

Mr. Clarence Peyton said the Comprehensive Plan was designed to promote business and growth in designated growth areas. This parcel is designated as mixed use village center in a

growth area. He commented on the recommendation from the Planning Commission and questioned the significance in regards to denial of the petition. Were the uses struck from the list identified by the Planning Commission? Were the proffers adequate and did they satisfy the concerns of the Planning Commission? If not, why not? Mr. Peyton said he had a lot of questions and did not feel the Board has adequate information to make a decision.

Mr. Eddie Deane thanked citizens for their comments. He noted the Comprehensive Plan is used as a guide. He also has questions and concerns.

Mr. David Cox agreed with comments by Mr. Peyton and Mr. Deane. He also has a lot of questions and felt there is not enough information before the Board.

Mr. Jim Frydl said he was a member of the Planning Commission when the business zones were revised. If there is a need to eliminate uses because they don't fit the parcel, then he would argue the zoning requested doesn't fit the parcel. All of these uses are high intensity. The Board has the authority to protect the health, safety and welfare of citizens. Mr. Frydl said issues of congestion, compatibility with neighboring parcels, and safety on such a small lot are all concerns. The Board can approve, deny or defer the petition to a specific date.

Mr. Greg Johnson said the applicant would like to request deferral and go back to the Planning Commission. Mr. Svoboda agreed the request for deferral would be like starting over with the Planning Commission at the request of the applicant.

Upon motion by David Cox and unanimous vote, the Board accepted the request from the applicant for deferral of this petition back to the Planning Commission.

Recorded vote:	Jim Frydl	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Clarence Peyton	-	Yes

Motion carried.

RE: MATTERS FROM THE PUBLIC

Mr. Eric Lamb said he attended a recent conference and received a copy of a report by Draper Aden regarding water and sewer rates. This report indicates RSA has one of the highest water and sewer connection fees in the State. He provided this report to the Board for their information and review.

RE: CONSENT AGENDA

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

- a. Minutes of September 24, 2013 meeting.
- b. Proclamation to declare October 2013 as Disability Employment Awareness Month. (See Attachment "A")
- c. Proclamation to declare October 2013 as Domestic Violence Awareness Month. (See Attachment "B")
- d. Proclamation to declare October 2013 as Wine Month. (See Attachment "C")

Recorded vote:	Jim Frydl	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Clarence Peyton	-	Yes

Motion carried.

RE: COUNTY ADMINISTRATOR REPORT

Mr. Barkley introduced Mr. Alan Yost as the Economic Development Director. Mr. Yost said he looks forward to working in this position.

Mr. Barkley reported the following:

- Leadership team will meet next week to review organizational chart and policy/process to filter citizen/business issues.
- Working with Sheriff to expand parking lot.
- County is participating in Move 2 Health Initiative. Walking group meets periodically.
- Along with Roy Dye and Bart Svoboda, will meet with new Commonwealth Transportation Board member on Thursday
- Storm water requirements are mandates by State. Staff in training. Deadline for adoption is April, 2014 with effective date of July 1, 2014.
- Met with Chairman and VDOT representatives at Four Seasons entrance. VDOT will meet with residents of area to address concerns.
- Received complaint from South Ridge neighborhood regarding noise from Mountain Lumber. Will review with staff.
- Beginning discussion of FY 2015 budget. Includes discussion of Affordable Health Care requirements and what County should do as employer to prepare for changes.
- Questionnaire for Capital Improvement Plan sent out today.
- Working on draft request for proposals for reassessment process.
- Committee reviewing edu issues will meet again next week. Update at October 22 meeting.
- EDA meeting on October 21.

RE: OTHER MATTERS FROM BOARD MEMBERS

Mr. Lamb said Mr. Anthony Herring has resigned from the Planning Commission. This vacancy will be advertised per policy.

Mr. Frydl noted the Commonwealth Transportation Board will be holding public meetings across State. A meeting will be held in Culpeper on November 18.

Mr. Frydl said he and Mr. Joel Denunzio, VDOT Resident Administrator, met with the residents of Four Seasons. Residents want to proceed with a speed study. Issues include site distance, mowing, and possible change in embankment height.

Mr. Frydl noted the William Monroe High School Golf Team won the regional tournament and will be going to the State tournament.

Mr. Frydl said Mt. Vernon Church will be holding a fall festival on October 19. A 5k is schedule that morning. The money raised will be used to build a peace garden.

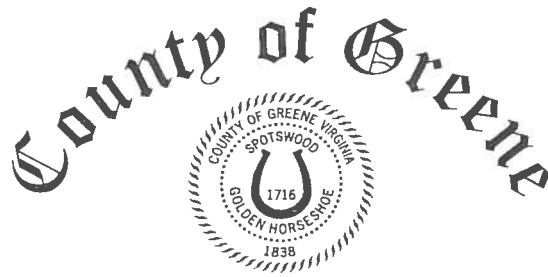
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RE: CONTINUED MEETING

The meeting ended at 9:15 p.m. and was continued to Tuesday, October 22, 2013.



Jim Frydl, Chairman
Greene County Board of Supervisors



BOARD OF SUPERVISORS
POST OFFICE BOX 358
STANARDSVILLE, VIRGINIA 22973
TELEPHONE: 434-985-5201

**PROCLAMATION OF OCTOBER AS DISABILITY
EMPLOYMENT AWARENESS MONTH**

WHEREAS, every year since 1945 the President of the United States has proclaimed a National Observance in October to promote the employment of individuals with disabilities; and

WHEREAS, this tradition continues in October 2013 with "Because We Are EQUAL to the Task" as the theme for this year's National Disability Employment Awareness Month; and

WHEREAS, nearly one in five Americans have some type of disability, making people with disabilities the nation's largest minority; and

WHEREAS, our community needs to harness the potential of all of its citizens so that our economy can continue to grow and our labor force can meet the challenges on the horizon; and

WHEREAS, work is fundamental to identity, providing the opportunity to lead a more independent, self-directed life for all people; and

WHEREAS, we recognize that disability is a natural part of the human experience and affirm that disability in no way should limit a person's ability to make choices, pursue meaningful careers, or participate fully in all aspects of life; and

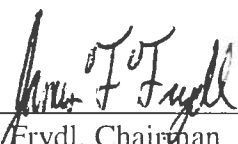
WHEREAS, all of us have benefited from the achievements and contributions of people with disabilities; and

WHEREAS, attitudinal barriers can hinder people with disabilities from realizing their full potential; and

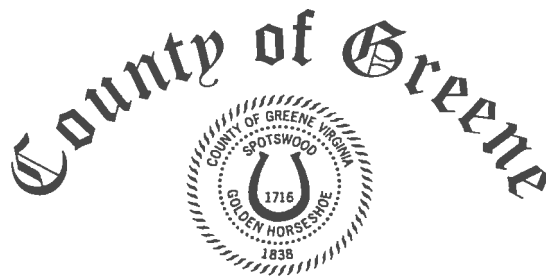
WHEREAS, education and public awareness are the most powerful tools for increasing sensitivity and achieving full integration and inclusion of people with disabilities into all aspects of life;

NOW, THEREFORE, the Board of Supervisors hereby proclaims October, 2013 as **DISABILITY EMPLOYMENT AWARENESS MONTH** in the **COUNTY OF GREENE**, and calls this observance to the attention of all our citizens.

Adopted in Open Meeting this 8th day of October 2013.



Jim Frydl, Chairman
Greene County Board of Supervisors



BOARD OF SUPERVISORS
POST OFFICE BOX 358
STANARDSVILLE, VIRGINIA 22973
TELEPHONE: 434-985-5201

PROCLAMATION

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

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; 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, the Shelter for Help in Emergency has led the way in the Greene County in addressing domestic violence by providing 24-hour hotline services to victims/survivors and their families, offering support and information, and empowering survivors to chart their own course for healing; and

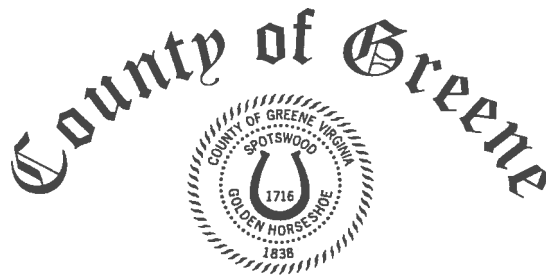
WHEREAS, the Shelter for Help in Emergency commemorates its 34th year of providing unparalleled services to women, children and men who have been victimized by domestic violence;

NOW THEREFORE, BE IT RESOLVED, in recognition of the important work being done by the Shelter for Help in Emergency, the Greene County Board of Supervisors, does hereby proclaim the month of October, 2013 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.

Adopted in Open Meeting this 8th day of October, 2013.



Jim Frydl, Chairman
Greene County Board of Supervisors



BOARD OF SUPERVISORS
POST OFFICE BOX 358
STANARDSVILLE, VIRGINIA 22973
TELEPHONE: 434-985-5201

PROCLAMATION

WHEREAS, Virginia is the home of Thomas Jefferson, America's first epicurean and wine aficionado, who is widely known as the father of American wine; and

WHEREAS, Virginia wineries realized Jefferson's vision and today produce world class wines that are receiving national and international acclaim; and

WHEREAS, the Virginia wine industry has grown from six wineries in 1979 to more than 230 wineries today and now ranks fifth in the country in the number of wineries; and

WHEREAS, Greene County is home to three such wineries: Autumn Hill Vineyards; Kilauren Vineyards and Stone Mountain Vineyards; and

WHEREAS, in fiscal year 2013, Virginia's wineries sold more than 511,000 cases of wine totaling approximately \$102 million in retail sales; and

WHEREAS, Virginia ranks 6th nationally in wine grape production, harvesting more than 7,500 tons of wine grapes with a total crop value of \$12.6 million; and

WHEREAS, Virginia wineries and related businesses contribute more than 4,750 full-time equivalent jobs to the Commonwealth and over \$43 million in taxes; and

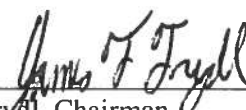
WHEREAS, more than one and one-half million people visit Virginia wineries annually and during Wine Month 2013, guests can enjoy more drinking Virginia wines at restaurants and purchasing them at local wine shops around the Commonwealth; and

WHEREAS, Virginia's burgeoning wine industry has been ranked as one of the Top 10 Best Wine Travel Destinations by Wine Enthusiast Magazine; and

WHEREAS, Governor Robert F. McDonnell has declared October, 2013 as WINE MONTH in the Commonwealth of Virginia;

NOW THEREFORE BE IT RESOLVED, the Greene County Board of Supervisors does hereby proclaim October 2013 as Wine Month and recognizes the wineries: Autumn Hill Vineyards, Kilauren Vineyards, and Stone Mountain Vineyards, located in our county.

Adopted in Open Meeting this 8th day of October, 2013.



Jim Fryell, Chairman
Greene County Board of Supervisors