

June 26, 2012

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, JUNE 26, 2012,
AT 5:30 P.M. IN THE COUNTY MEETING ROOM.

Present were: Clarence Peyton, Chairman
Davis Lamb, Vice Chairman
David Cox, Member
Eddie Deane, Member
Jim Frydl, Member
Ray Clarke, County Attorney
Barry Clark, County Administrator
Tracy Morris, Finance Director

RE: EXECUTIVE SESSION

Upon motion by David Cox and unanimous vote, the Board entered into Executive Session to discuss legal and personnel matters pursuant to Section 2.2-3711 Subsection (a, 1-7) of the Code of Virginia.

Contract Matters:

- Water and Sewer

Land Acquisition:

- Water and Sewer

Legal:

- None

Personnel:

- Administration

Various Appointments:

- Board of Zoning Appeals

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

Motion carried.

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

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

Motion carried.

RE: BOARD OF ZONING APPEALS

Upon motion by Eddie Deane and unanimous vote, the Board recommended Mr. Lyle Durrer be considered for appointment to the Board of Zoning Appeals and Mr. Brent Wilson be considered as an alternate for the Board of Zoning Appeals.

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

Motion carried.

RE: OPEN MEETING

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

RE: PUBLIC HEARING – REVISIONS TO ZONING ORDINANCE AND SUBDIVISION ORDINANCE

Mr. Bart Svoboda, Zoning Administrator, reviewed proposed amendments as follows:

OR#11-003 – Temporary Events Zoning Permit – Currently, if a landowner would like to have a temporary fair (1 day to 1 week) event, applicant may need to apply for a special use permit. Use may not be addressed in ordinance and therefore not allowed. Updating the ordinance will provide more flexibility for temporary events such as craft festivals, wine festivals and revivals. - modeled after Orange County – does not prohibit private parties, weddings, etc. – exemption for temporary event with less than 50 persons at any one time – Planning Commission recommended approval.

OR#11-005 – Non-Conforming Uses – Reviewed as result of specific request from Board of Supervisors. Change would not allow the expansion or enlargement of a non-conforming use or structure. State Code provides that locality may, by ordinance, provide that no non-conforming use or structure be expanded. Spreadsheet includes current non-conforming uses that have been identified. Planning Commission recommended approval.

OR#11-006 – Interconnectivity – General Assembly approved new access management regulations in 2007 that focus on location, spacing and design of entrances, street intersections, median openings and traffic signals. Each creates conflict points where vehicles have to stop or

slow down, disrupting the flow of traffic. VDOT states on website: "As the number of conflict points increase, so does traffic congestion and crashes. Better management of access to the highway can reduce the number of conflict points and their adverse impact on highway operation and public safety. Roads are a critical public resource and constitute a major investment of the public's money. Access management can maximize this investment." One tool of access management is the ensure interconnectivity between adjacent parcels. True for both residential and commercial properties. Motorist spends less time waiting in traffic, fuel efficiency is maximized, air pollution is reduced and commuting times become shorter. Businesses benefit due to better mobility and expanded market area. Residents benefit with use of parallel roads to access developments. Planning Commission recommended approval.

The Chairman opened floor for public comment.

Brian Higgins - Piedmont Environmental Council - OR#11-003 - temporary event permit - supports this type of permit - important for agricultural area to have events and make income from property - also important to make sure health, safety and public welfare taken into account - OR#11-006 - interconnectivity - concerned about potential for this to be used on property that fronts on primary, arterial roads like Routes 29 or 33

Carl Schmitt - OR#11-003 - temporary event permit - agrees with amendment - doesn't seem to say who decision maker is but assumes it would be Zoning Administrator - missing process paragraph - should mirror zoning certification process

As there were no further comments, the public hearing was closed.

Mr. Svoboda noted a special use permit has a specific process by code. He said a section could be added to indicate zoning certification procedure would be followed.

Mr. Frydl asked how staff would ensure the compliance of events that are exempt. Mr. Svoboda said an example would be political signs. While the sign would be exempt from a permit, it would not be exempt from district regulations. If a complaint is received, staff would check for compliance.

Mr. Frydl noted residential zones and senior residential zone are not included. Mr. Svoboda said an event in a subdivision zoned R-1, such as Greene Mountain Lake, that is not open to the public and meets other requirements, would be ok. The same type event, but open to the public, in a subdivision such as Greene Acres that is zoned A-1, would be ok as long as it meets other requirements.

Mr. Deane asked if the tent revival he was associated with last year would be exempt. Mr. Svoboda said it would not be exempt in the R-1 zone. Temporary events would not be allowed in R-1 zone due to setback requirements.

Upon motion by Jim Frydl and affirmative vote, the Board approved ordinance revision OR#11-003 with the addition of Section 16-19-3 - follow zoning certification process.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	No
	Jim Frydl	-	Yes

Motion carried.

Mr. Frydl commented on the spreadsheet included with information regarding current identified non-conforming uses. Mr. Deane questioned the sections marked for deletion. Mr. Svoboda said non-conforming uses would exist but no longer could expand if amendment is

approved. Situations are so unique that they would be considered on a case by case basis. Mr. Svoboda said staff meets numerous times on site to understand specifics of case and what's happening to ensure property owners rights. Mr. Peyton asked if that means Mr. Svoboda can use discretion. Mr. Svoboda answered that he can use what the ordinance says.

Mr. Lamb, a former member of the Planning Commission, said variances are sometimes so small to the point of being the difference of one foot. Mr. Svoboda noted that when the Board of Zoning Appeals grants a variance, the setback is actually changed.

Mr. Deane said he did not feel he has had sufficient time to study/research this proposed amendment and was uneasy about it.

Upon motion by Eddie Deane and unanimous vote, the Board deferred action on OR#11-005 – Non-Conforming Uses – to the meeting on Tuesday, July 24, 2012.

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

Motion carried.

Mr. Frydl commented that interconnectivity affects everything but family subdivision and agricultural subdivision. They are reviewed but do not have to meet interconnectivity requirements. A change in State legislation allows the waiver of requirements if doesn't fit lot or is too penal. Waiver is an administrative function by the Board of Supervisors, Board of Zoning Appeals or Zoning Administrator. Mr. Peyton noted family division would have to meet minimum requirement for access.

Upon motion by Davis Lamb and affirmative vote, the Board approved OR#11-006 – Interconnectivity - as presented.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	No
	Jim Frydl	-	Yes

Motion carried.

Mr. Svoboda reviewed OR#12-003 which clarifies restaurants and restaurant drive-thru. The definition for restaurants and drive-thru restaurants adopted in May, 2009 was not clear to staff and stated that consumption of product had to be on premises. This particular definition could be construed to mean that take-out and drive-thru restaurants would not be allowed. Proposed amendment to language is for clarity for staff and citizens.

Mr. Deane asked how the local paper had information before the Board of Supervisors. Mr. Svoboda said the reporter would have to answer that question but it could have been from attendance at the Planning Commission meeting.

Mr. Lamb said he saw in newspaper that the ABC store is moving to the Gateway Center. Some ABC stores have drive-thru windows. Mr. Lamb asked if it would be legal to tax alcohol beverages sold thru drive up. Mr. Svoboda said that would be a question for the Commissioner of Revenue.

Mr. Svoboda reviewed OR#12-004 which clarifies handicapped ramps and setbacks. The Thomas Jefferson Planning District Commission (TJPDC) received a grant for Transportation

and Housing Alliance's (THA) Assessment Toolkit. This was developed to help localities evaluate how well their regulations, plans and development procedures address the needs of people with disabilities and the elderly. TJPDC made several recommendations. The Planning Commission recommended approval.

The Chairman opened the floor for public comment. There were none. The public hearing was closed.

Mr. Frydl questioned standards for handicap ramps. Mr. Svoboda said the Building Official could address specific standards. The recommendation is to follow ADA compliance regulations.

Upon motion by Jim Frydl and unanimous vote, the Board approved OR#12-003 as presented.

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

Motion carried.

Upon motion by Davis Lamb and unanimous vote, the Board approved OR#12-004 as presented.

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

Motion carried.

Mr. Svoboda reviewed OR#11-006, proposed amendment to Subdivision Ordinance regarding interconnectivity. The Planning Commission recommended approval.

The Chairman opened the floor for public comment. There were none. The public hearing was closed.

Upon motion by Jim Frydl and unanimous vote, the Board approved OR#11-006, in regards to the Subdivision Ordinance – interconnectivity - as presented.

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

Motion carried.

RE: RESOLUTION – REFUNDING OF SEWER SYSTEM REVENUE BOND, SERIES 2005

Mr. Ray Clarke, County Attorney, reviewed the proposal which is to refinance bonds to a lower interest rate thereby saving money. It was noted the County could save from \$100,000 to \$300,000.

Upon motion by Davis Lamb and unanimous vote, the Board approved the resolution as presented. (See Attachment "A")

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

Motion carried.

RE: CAPITAL PROJECT FUNDS – RECREATION PARK AND EMERGENCY SERVICES

Mrs. Ethyle Giuseppe spoke to the Board regarding the construction of basketball court at the Community Park. Mrs. Giuseppe previously donated the construction of the comfort/concession station at the Park and indicated she would be willing to donate funds to build a basketball court if bids are reasonable.

Mr. Dale Herring, Chairman of the Recreation Park Committee, was also present. He said the Recreation Committee is asking the Board to roll funds already allocated over to the new budget year.

Mr. Julius Bates, Director of Parks and Recreation, said the Board had allocated \$76,000 for the construction of the comfort/concession station which was not used as Mrs. Giuseppe donated the building. The intent is to use the funds to do the engineering and storm water work for a basketball court in order to move the project forward in the bidding process.

Mr. Deane thanked Mrs. Giuseppe for her contributions to the community and did not see problem with rolling funds. Mr. Frydl agreed and noted the County would not have these funds if not for Mrs. Giuseppe. Mr. Peyton also thanked Mrs. Giuseppe for her generosity noting her donation to the PVCC satellite campus which will be tremendous attribute to the County.

Upon motion by David Cox and unanimous vote, the Board approved the roll over of \$76,000 for the Recreation Park and \$25,000 for Emergency Services. (See Attachment "B")

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

Motion carried.

RE: MATTERS FROM THE PUBLIC

STAR

Mr. Roy Dye, Executive Director of Stanardsville Area Revitalization (STAR), gave update on the streetscape enhancement project. All required right-of-way has been obtained and the project will be able to proceed to the bidding phase. Hope to begin construction in the fall and project should take two to three months.

TREES

Ms. Tamsin Stewart was present to ask the Board to adopt an ordinance addressing the issue of tree branches crossing property lines and mandating the removal of dead trees that might present a danger to structure and life. She said her neighbors planted 10 Leyland Cypress trees in

a staggered formation close to the property line. The mature size of the trees presents problem. As the trees grow, they will come over on her property by 12 to 15 feet.

Ms. Stewart thought she could ask her neighbor to cut the trees at the property line but found that she couldn't. She is paying tax on property which has been effectively removed from her use and is having trouble mowing the area.

There is also a totally dead tree just over the property line at the corner of her house which presents a problem. Her concern is that the tree will come down during a storm and hit her house. Her neighbor refuses to cut the tree down.

Ms. Stewart asked the Board to consider an ordinance addressing these issues.

RE: CONSENT AGENDA

Upon motion by Davis Lamb and unanimous vote, the Board approved the minutes of the June 12, 2012 meeting as circulated.

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

Motion carried.

RE: OTHER MATTERS FROM THE BOARD

JEFFERSON-MADISON REGIONAL LIBRARY

Mr. Lamb suggested the Board discuss, at some point, the additional hours the Library has requested to remain open for access to PVCC students.

RESERVE FUND POLICY

The Chairman noted the reserve fund policy will be on the agenda for the next meeting.

DMV

The Chairman asked staff to respond to a recent email from DMV representative regarding the DMV 2 Go mobile unit visiting Greene County.

RE: COUNTY ADMINISTRATOR'S REPORT

Mr. Clark reported the following:

- PVCC - visited site - Building is complete with the exception of installation of some equipment and addition of furniture – ahead of schedule on project
- Fire Departments – Ruckersville and Stanardsville have received new fire engines. Dyke's new vehicle should be here in August.
- Business Appreciation Reception – big success – thanks to Mr. Deane for attending
- Sound system equipment for meeting room has been ordered.
- Solid Waste Facility - no deficiencies report from DEQ

RE: PURCHASE OF VEHICLES

Mr. Steve Weeks, Director of Operation Services, said he has run into a problem in getting the vehicle for the Inspections Department. The Jeep Liberty requested is no longer available. The cost to change to a Ford Explorer is an additional \$6,901.

Mr. Weeks also said he would like to Board to consider changing the policy on purchase of vehicles to allow an additional 5% of the purchase price. This would provide flexibility in purchasing vehicles.

Mrs. Morris, Finance Director, said the Board approved the purchase of vehicles during the budget process. The first payment will be due July, 2013. Does not require any funds in current year.

It was the consensus of the Board to authorize the purchase of a Ford Explorer for the Inspections Department.

It was also the consensus of the Board to authorize Mrs. Morris to proceed with the financing of vehicles.

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.

Personnel:

- Administration

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

Motion carried.

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

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

Motion carried.

Board of Supervisors
June 26, 2012
Sheet 9

RE: AJDOURN MEETING

The meeting ended at 10:00 p.m. The next scheduled meeting will be held on Tuesday, July 10, 2012.

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

Clarence Peyton, Chairman
Greene County Board of Supervisors

GREENE COUNTY, VIRGINIA

**RESOLUTION PROVIDING FOR THE REFUNDING OF
SEWER SYSTEM REVENUE BOND, SERIES 2005, AND
WATER SYSTEM REVENUE BOND, SERIES 2005**

WHEREAS, on December 7, 2001, Greene County, Virginia (the "Local Government" or "County") issued its Water System Revenue Bond, Series 2005, in an original principal amount of \$7,864,000 (the "2005 Water Bond"), and sold the 2005 Water Bond to Virginia Resources Authority ("VRA") pursuant to a Financing Agreement dated as of December 1, 2005, between VRA and the Local Government (the "2005 Water Financing Agreement"); and

WHEREAS, on December 7, 2003, the Local Government also issued its Sewer System Revenue Bond, Series 2005, in an original principal amount of \$2,556,000 (the "2005 Sewer Bond"), and sold the 2005 Sewer Bond to VRA pursuant to a Financing Agreement dated as of December 1, 2005, between VRA and the Local Government (the "2005 Sewer Financing Agreement"); and

WHEREAS, VRA purchased the 2005 Water Bond and the 2005 Sewer Bond (collectively, the "Original Local Bonds") with a portion of the proceeds of VRA's Infrastructure Revenue Bonds (Virginia Pooled Financing Program), Series 2005 (Non-AMT) (the "VRA Bonds"); and

WHEREAS, VRA has advised the Local Government that the credit markets are currently favorable for the refunding of the VRA Bonds (the "Refunding Transaction"), which may enable VRA to pass on annual debt service savings to the Local Government; and

WHEREAS, VRA will effect the Refunding Transaction through the issuance and sale of a series of refunding bonds issued under VRA's Virginia Pooled Financing Program (the "VRA Refunding Bonds"); and

WHEREAS, VRA has indicated that if the Local Government participates in the Refunding Transaction the most significant modifications required to the terms of the Original Local Bonds and the 2005 Water Financing Agreement and the 2005 Sewer Financing Agreement will be to reconcile the debt service payments and redemption provisions of the Original Local Bonds with those of the VRA Refunding Bonds and such modifications will be embodied in amendments to the Original Local Bonds and by the Local Government's issuance to VRA of a water revenue refunding bond and a sewer revenue refunding bond, as may be necessary or convenient, and amendments to the 2005 Water Financing Agreement and the 2005 Sewer Financing Agreement, or in one or more replacements therefore, or both, and further, various agreements, tax compliance documents, and other instruments as may be required by VRA or by legal counsel to the Local Government (collectively, the "Local Refunding Documents"); and

WHEREAS, unless otherwise defined each capitalized term used in this Resolution shall have the meaning given it in the 2005 Water Financing Agreement and 2005 Sewer Financing Agreement, respectively.

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

1. **Agreement to Participate.** The Local Government's participation in the Refunding Transaction is hereby approved provided that (i) the minimum savings threshold to be realized by the Local Government shall be not less than three percent (3%) savings on a present value basis compared to the existing debt service on the outstanding Original Local Bonds or portion thereof to be refunded and (ii) the final maturity of the Original Local Bonds as amended or replaced (and including the issuance by the Local Government of a water revenue refunding bond and a sewer revenue refunding bond, as described above) in the Refunding Transaction shall not be extended past the end of the fiscal year in which occurs the current final maturity of the Original Local Bonds.

2. **Authorization of Local Refunding Documents.** The Chairman or the Vice-Chairman of the Board of Supervisors of the Local Government (either of whom may act) are each authorized and directed to execute and deliver to VRA a water revenue refunding bond ("2012 Water Revenue Refunding Bond") and a sewer revenue refunding bond ("2012 Sewer Revenue Refunding Bond"), and, further, an allonge to be attached to each of the Original Local Bonds, respectively, all in such forms as may be required by VRA in connection with the VRA Refunding Bonds, in order for the Local Government to reflect, facilitate, and give effect to the Refunding Transaction and the transactions contemplated thereby, within the parameters and intent of this Resolution. The Clerk of the Board of Supervisors of the Local Government is authorized to affix the Local Government's seal on such refunding bonds and allonges and attest or counter-sign the same.

Further, each of the Chairman, the Vice-Chairman, and the County Administrator (each a "Local Representative"), any one or more of whom may act, is authorized to execute and deliver any and all additional Local Refunding Documents in such forms as will reflect, facilitate, and give effect to the Refunding Transaction and the transactions contemplated thereby, within the parameters and intent of this Resolution. The Clerk of the Board of Supervisors of the Local Government is authorized to affix the Local Government's seal on any such documents and attest or counter-sign the same.

3. **Pledge of Revenues.** The 2012 Water Revenue Refunding Bond shall be a water system revenue bond obligation of the County for the payment of principal of, premium, if any, and interest on which the Revenues (as further described in the 2005 Water Financing Agreement, as may be amended or replaced in connection with the Refunding Transaction) shall be pledged, subject to the terms thereof and the 2012 Water Revenue Refunding Bond. Such lien

of the pledge of Revenues in connection with the 2012 Water Revenue Refunding Bond shall be on parity with the lien of the pledge of Revenues in connection with (i) an Assumption Agreement, dated as of December 1, 2005, among the County, Rapidan Service Authority, and VRA, as amended by a First Amendment to Assumption Agreement, dated as of June 1, 2008, and further amended by a Second Amendment to Assumption Agreement, dated as of June 1, 2009; and (ii) the 2005 Water Bond (described above), as amended by an allonge to be attached thereto and made a part thereof (collectively, the "Prior Water Obligations").

The 2012 Sewer Revenue Refunding Bond shall be a sewer system revenue bond obligation of the County for the payment of principal of, premium, if any, and interest on which the Revenues (as further described in the 2005 Sewer Financing Agreement, as may be amended or replaced in connection with the Refunding Transaction) shall be pledged, subject to the terms thereof and the 2012 Sewer Revenue Refunding Bond. Such lien of the pledge of Revenues in connection with the 2012 Sewer Revenue Refunding Bond shall be on parity with the lien of the pledge of Revenues in connection with (i) the Sewer System Revenue Bond, Series 2004, issued to VRA on June 30, 2004, in the original principal amount of \$13,500,000, as amended by an allonge attached thereto, (ii) the 2005 Sewer Bond (described above), as amended by an allonge to be attached thereto and made a part thereof, (iii) the Sewer Revenue Refunding Bond, Series 2009, dated June 17, 2009, issued to VRA in the original principal amount of \$1,780,000, and (iv) the Sewer System Revenue Refunding Bond, Series 2011, issued to VRA on November 16, 2011, in the original principal amount of \$8,110,000 (collectively, the "Prior Sewer Obligations").

Such pledges of the respective Revenues by the County to secure the 2012 Water Revenue Refunding Bond and the 2012 Sewer Revenue Refunding Bond, respectively, (collectively, the "2012 Refunding Bonds") shall be valid and binding from and after the closing dates thereof, shall be immediately subject to the lien of such pledges without any physical delivery of them or further act, shall have priority over all subsequent obligations and liabilities of the County (except as otherwise described above in connection with the Prior Water Obligations and the Prior Sewer Obligations, respectively), and shall be valid and binding against all parties having claims of any kind against the County regardless of whether such parties have notice thereof.

In addition, as further security for the payment of each of the 2012 Refunding Bonds, the Board hereby covenants and agrees to undertake non-binding obligations to appropriate such amounts as may be requested from time to time, if any, in order to pay the debt service thereon. Such moral obligation and support pledge of the County in connection with the 2012 Refunding Bonds, respectively, is hereby made to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia, *provided, however*, that such pledge shall not be deemed to be a lending of the credit of the County to VRA or to any other person or otherwise deemed to be a pledge of the faith and credit or the taxing power of the County, and such pledge shall not bind or obligate the Board to appropriate funds for the purposes described herein or in the 2012 Refunding Bonds, respectively, or any of the Local Refunding Documents.

The County also agrees to pay all amounts required by the Local Refunding Documents, including the "supplemental interest" and "late charges," as provided therein and required by

VRA in connection with the Refunding Transaction, and reference is hereby made to such provisions for the details of the requirements therefore.

4. **Essentiality Matters.** The Board of Supervisors hereby affirms and declares that the transactions contemplated herein constitute the refinancing and restructuring of indebtedness in connection with certain essential water and sewer system capital projects for local governmental purposes, and the County anticipates that all such capital projects being refinanced and restructured in connection with the Refunding Transaction will continue to be essential to the local governmental purposes of the County and its ownership and operation, if applicable, of the County's water and sewer systems and facilities related thereto, during and beyond the terms of the Local Refunding Documents, respectively.

5. **Official Statement.** The Local Government authorizes and consents to the inclusion of information with respect to the Local Government in VRA's Preliminary Official Statement and Official Statement, both to be prepared in connection with the sale of the VRA Refunding Bonds.

6. **Other Actions.** Each Local Representative is authorized to execute and deliver all such additional certificates, documents, agreements, amendments and supplements to agreements, and any other instruments, and to take all such further actions as they may consider necessary and desirable in connection with the refunding of all or a portion of the Original Local Bonds and the consummation of the Refunding Transaction, or as may be otherwise required by VRA, including the execution and delivery of such documents and the making of such elections as may be reasonably requested by VRA to maintain or establish a tax-favored status for the VRA Refunding Bonds.

7. **Effective Date.** This Resolution shall take effect immediately.

Dated: June 26, 2012



Chairman of Board of Supervisors
Greene County, Virginia

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 is as follows:

<u>NAME</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Clarence ("Buggs") Peyton, Chairman Stanardsville District	X			
Davis Lamb, Vice-Chairman Ruckersville District	X			
James F. Frydl Midway District	X			
Eddie Deane At Large	X			
David Cox Monroe District	X			

Dated: June 26, 2012



Clerk of Board of Supervisors
Greene County, Virginia

[SEAL]

**RESOLUTION TO APPROPRIATE ONE HUNDRED ONE
THOUSAND DOLLARS FOR CAPITAL PROJECTS AS
CARRYOVER PROGRAMS**

WHEREAS, the Board of Supervisors of the County of Greene, Virginia has appropriated funds in FY '12 for Capital Projects; and,

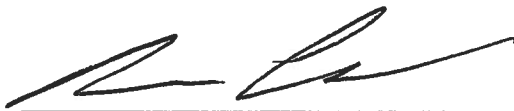
WHEREAS, the following funds in the amount of one hundred one thousand dollars (\$101,000.00) need to be appropriated to the 2012-13 Operating Budget of the County of Greene, Virginia:

<u>Purpose</u>	<u>Amount</u>
Emergency Services Vehicle Purchase	\$25,000
Recreation Facilities	\$76,000

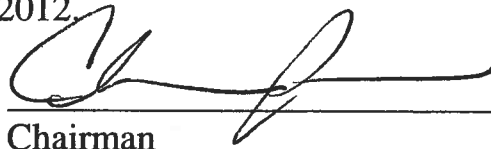
NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that the amount of one hundred one thousand dollars (\$101,000.00) to be received from the above programs be appropriated to the appropriate line items in the 2012-13 Operating Budget of the County of Greene, Virginia.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget and to do all things necessary to give this resolution effect.

Adopted this 26th day of June, 2012.



Barry Clark, Clerk



Chairman