

November 12, 2014

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, NOVEMBER 12, 2014, BEGINNING AT 6:30 P.M. IN THE COUNTY MEETING ROOM.

Present were: Jim Frydl, Chairman
 David Cox, Vice Chairman
 Davis Lamb, Member
 Bill Martin, Member
 John C. Barkley, County Administrator
 Ray Clarke, County Attorney
 Patti Vogt, Deputy Clerk

Absent: Eddie Deane, Member

RE: EXECUTIVE SESSION

Upon motion by Davis Lamb and affirmative 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) PERSONNEL MATTERS

- APPOINTMENT – JABA BOARD OF DIRECTORS and EDA
- COUNTY ADMINISTRATION

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
	David Cox	-	Yes
	Eddie Deane	-	Absent
	Davis Lamb	-	Yes
	Bill Martin	-	Yes

Motion carried.

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

Recorded vote:	Jim Frydl	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Absent
	Davis Lamb	-	Yes
	Bill Martin	-	Yes

Motion carried.

By affirmative 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
	David Cox	-	Yes
	Eddie Deane	-	Absent
	Davis Lamb	-	Yes
	Bill Martin	-	Yes

Motion carried.

RE: ECONOMIC DEVELOPMENT AUTHORITY – APPOINTMENT TO

Upon motion by Bill Martin and affirmative vote, the Board appointed Ms. Karen Tucker to the Greene County Economic Development Authority with a term to expire March 1, 2017.

Recorded vote:	Jim Frydl	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Absent
	Davis Lamb	-	Yes
	Bill Martin	-	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 – MILESTONE INVESTMENT GROUP, LLC/GEORGE AND SUZANNE HANEY – REZONE

Mr. Bart Svoboda, Zoning Administrator, reviewed the request from Milestone Investment Group, LLC/George and Suzanne Haney to rezone from B-2, Business, to B-3 Business, a 1.16 acre portion of the total 3.62 acre tract located on Jennings Loop/Seminole Trail and identified on County Tax Maps as 60C-(A)-25 and 29. (RZ#14-001)

The total acreage of the parcels (60C-A-25, 26, 27, 28, and 29) that is proposed for redevelopment is approximately 5.2 acres. Current zoning is B-2. The applicant is requesting to rezone 1.16 acres, a portion of parcels 25 and 29, to B-3. The B-3 zoning will allow a gas/convenience store.

The Comprehensive Plan supports this rezone. Staff supports the redevelopment rezone. Proffers address concerns of interconnectivity and building facades. The Planning Commission recommended approval and acceptance of proffers dated September 19, 2014.

Proffers include:

- closure of Route 645, Jennings Loop Road
- Private road connectivity - future access easement provided for the connection of the private portion of Jennings Loop Road.
- Design review – façade materials – architectural guidelines

Mr. L. J. Lopez, representative of applicants, was present and spoke briefly on the requested rezone.

The Chairman opened and closed the public hearing with no public comments.

Mr. Svoboda said the rezoning itself will not close Jennings Loop Road. The road will not be closed until the property is developed.

Mr. Cox asked about a vehicle having to cross three lanes of traffic to go west on Route 33. Mr. Svoboda said that is the current situation and the area meets standards.

Mr. Martin asked about interconnectivity of parcels. Mr. Lopez said interconnectivity is addressed in the concept plan. The entrance on Route 29 is shown as a full service entrance. There have been preliminary conversations with the neighbor to the south (used car lot) about a shared entrance.

Upon motion by David Cox and affirmative vote, the Board approved RZ#14-001 with a B-3 zoning designation and the acceptance of the submitted proffers.

Recorded vote:	Jim Frydl	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Absent
	Davis Lamb	-	Yes
	Bill Martin	-	Yes

Motion carried.

RE: PUBLIC HEARING – RODNEY AND JEANNE KIBLER – SPECIAL USE PERMIT

Mr. Svoboda reviewed the request for a Special Use Permit from Rodney and Jeanne Kibler for a bed and breakfast, with event venue, on 150.50 acre tract, zoned A-1, Agriculture, located at 743 Welsh Run Road and identified on County Tax Maps as 58-(A)-8B. (SUP#14-010)

The applicant is requesting a Special Use Permit to open a bed and breakfast, with an event venue, to be located in the existing farm house. This property was down zoned from industrial to agricultural.

VDOT comments indicate a new entrance will need to be installed just west of the existing entrance that meets commercial site distance for events. The existing entrance will work for bed and breakfast.

The parcel is designated as rural on the Future Land Use Map. The goals for tourism provided in the Comprehensive Plan support this project.

The Planning Commission recommended approval with the following conditions:

- a) The permit is limited to the operation of a Bed and Breakfast on TMP 58-(A)-8B only.
- b) The Bed and Breakfast shall consist of the existing single family dwelling with a maximum of six bedrooms.
- c) No guests would reside in the Bed and Breakfast for more than 30 days in a 365 day period.

- d) Outdoor events will be restricted to 250 guests.
- e) There will be no amplified music after 10:30 p.m.
- f) A second entrance must be installed prior to holding special events outside of the normal use of the B & B.
- g) In order to preserve the residential character of the immediate community, all outdoor lighting fixtures shall be aimed, located and maintained so as not to produce disability glare. All lighting fixtures serving these areas shall be full cut-off fixtures and shall be mounted horizontal to the ground.
- h) A site plan is required prior to the operation of the Bed and Breakfast.
- i) The applicant shall provide a flagger as a safety precaution on the high traffic volume events as required by VDOT.
- j) The number of events shall be limited to 25 events per calendar year.

Mr. Rodney Kibler, applicant, spoke briefly on his request. The property was purchased in early 2000 from Technicolor and was down-zoned to A-1. Mr. Kibler said he was looking for ways to create agri-business on site and a wedding venue was suggested.

Mr. Kibler said his original application was for 365 days per year potentially to midnight each night. He asked the Planning Commission to amend to 25 events per calendar year and cut off at 10:30 p.m. In regards to concerns about traffic and alcohol consumption, Mr. Kibler noted guests at a recent wedding there stayed at the Best Western and were transported by shuttle. He noted he owns a number of lots in Guildford Farm Subdivision.

The Chairman opened the floor for public comments.

Michael Avery – resident of Four Seasons – Knows Jeanne Kibler who is basically the club house manager at Four Seasons. Based on his knowledge, she would never let problems with alcohol happen. He supports this request.

Teresa Maley – resident of Guildford Farms Subdivision since May, 2006 – Strenuously opposes the request. Neither notice mentioned event venue, only bed and breakfast. Granting this will destroy the character of neighborhood. Subdivision was marketed by Kibler as premier Greene County subdivision with low impact development, sustainable, green approach to minimize impact on waterways, farm buffer, riparian buffer, wildlife preserve with foot paths along the farm buffer for subdivision residents. Website already up and running for this venue even though the request has not been approved. Objects to the noise, traffic and aggravation they will have to live with. Homes in subdivision are paying significant amount to tax base. She revels in the peace and quiet and beauty of her home. Avid bird watchers, wildlife lovers and amateur star gazers. Asked Board to deny request. The wishes of one should not outweigh the wishes of many.

Roberta Fulton – resident of Guildford Farms - Read letter from Tracy Hilton who was present at Planning Commission meeting when this was discussed. The Kibler family will be working and profiting from this business while no one else in neighbor will be employed and making profit. Mr. Kibler made bylaws for and has vested interest in subdivision. She heard every word of songs being played until 10:30 p.m. during a recent event. Moved to this neighbor because they have a special needs child whose room faces that noise. Bedtime is 7:30 p.m. so loud music to 10:30 p.m. will not work. There have been several accidents on road in this area. She questioned who will be liable if something happens after an event. Winter months are not

prime season so it will be every summer weekend. How is this an asset to Greene County? Is it okay to rob community and neighbors of right to peaceful living so Kibler can be event planner?

Robert Fulton – resident of Guildford Farms – Has tried to work with Kibler before and he did reduce requirement as far as house size. Compared the disruption of serenity and nature of environment to identity theft. Felt most would not mind a true bed and breakfast.

Terry Wilmer – resident of Guildford Farms - Presented petition at Planning Commission meeting signed by 20 adjoining property owners opposing this proposal. Concern is about losing peace and quiet and quiet enjoyment of property they came here for. Heard everything said by master of ceremonies at recent wedding. Didn't say anything about it because it was Kibler son, he thought it was one of a kind thing and he wanted to be decent neighbor. Not fair, not right and not correct. Special Use Permit will run with the land. This will not enhance property values in Guildford Farms.

Don Brady – resident of Four Seasons – Moved here 4 years ago. Was shocked to find industrial zoning in the middle of rural area which he felt is scarier than anything he heard tonight. Supports request. Owner has to have some kind of income from property or eventually will sell it and it will be developed.

James Henshaw – administrator of Ms. Irene Detamore Estate which adjoins Guildford Farms – Came tonight to speak in favor of bed and breakfast. Did not realize other activity was planned. Give careful consideration to events.

The public hearing was closed.

Mr. Lamb pointed out that the land was down-zoned from industrial to agricultural. He understood concerns of residents in area. Was not opposed.

Mr. Martin asked if entrance road to Guildford Farms crosses this parcel. Mr. Svoboda said yes and it is a state road. The Kibler property is not part of the subdivision. Mr. Martin asked if there have been discussions about building a structure. Mr. Svoboda said there has been mention of possibly a pavilion in the future.

Mr. Kibler said the property was reviewed by a wedding planner who felt 250 guests would be manageable. The average number of wedding guests is 150. Mr. Kibler said he has thought about a building specifically in response to comments about noise.

Mr. Martin said he sees this as an acceptable use on the 150 acre parcel of land and sympathizes with neighbors. Thought needs to be given to the local economy and citizens who make reasonable requests to participate in that economy. He supports this activity.

Mr. Lamb suggested Leyland cypress trees could be planted to help buffer the sound from the site.

Mr. Cox questioned the requirement for a second entrance. What is the problem with existing entrance? Mr. Svoboda said the existing entrance is 11 feet wide between the columns. The second entrance was requested by the applicant because he did not want to change the entrance to bed and breakfast.

Mr. Cox said he did not agree with the condition requiring a flagger noting such person must be certified. He also said he was opposed to the second entrance. Mr. Cox said he supports the bed and breakfast but is concerned about the special events.

Mr. Joel Denunzio, VDOT Resident Administrator, said an 11 foot wide entrance can be used for residential uses. Commercial use requires a two lane road with a minimum width of 18 feet.

Mr. Frydl said this is an agricultural niche use that is supported in the Comprehensive Plan. The road has had very high volume traffic because of industrial use. Drunk driving and speeding are enforcement issues not land use concerns.

Upon motion by Bill Martin and affirmative vote, the Board approved Special Use Permit application SUP#14-010 with the following conditions:

- a) The permit is limited to the operation of a Bed and Breakfast on TMP 58-(A)-8B only.
- b) The Bed and Breakfast shall consist of the existing single family dwelling with a maximum of six bedrooms.
- c) No guests would reside in the Bed and Breakfast for more than 30 days in a 365 day period.
- d) Outdoor events will be restricted to 250 guests.
- e) There will be no amplified music after 10:30 p.m.
- f) An entrance meeting VDOT requirements must be installed prior to holding special events outside of the normal use of the B & B.
- g) In order to preserve the residential character of the immediate community, all outdoor lighting fixtures shall be aimed, located and maintained so as not to produce disability glare. All lighting fixtures serving these areas shall be full cut-off fixtures and shall be mounted horizontal to the ground.
- h) A site plan is required prior to the operation of the Bed and Breakfast.
- i) The number of events shall be limited to 25 events per calendar year.

Recorded vote:	Jim Frydl	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Absent
	Davis Lamb	-	Yes
	Bill Martin	-	Yes

Motion carried.

RE: QUARTERLY MEETING WITH VDOT REPRESENTATIVE

Mr. Joel Denunzio, VDOT Resident Administrator, reported the following:

- Shoulders were cut down on Route 33 business water was standing in road.
- Will be scheduling ditch maintenance. Environmental permit in order.
- Cleared culvert at 5720 Spotswood Trail.
- Patched hole on Route 609.
- Patched and surfaced treated Octonia Road.
- Replaced culvert on Simms Road

Items in the monthly report included:

- Route 607 – Matthew Mill Road – expect to acquire right-of-way and move utilities early next year (Feb/March 2015) – expect to advertise January 2016 – take one construction season to complete

- Route 33 – a lot of patching done – supposed to be repaved last year – concerns about guardrail and shoulder – developed estimate and plan to take care of shoulder failures and guardrail upgrades – have to wait for funding – approximately \$1.5 million
- Truck Advisory Signs – as requested – will be placing signs on Route 29 at Route 230 in Madison County and on Route 33 Bypass at Route 33 business entrances – advises trucks not to use the routes – signs will be installed shortly.

Mr. Lamb said guardrails are needed on Route 609 just below where the truck overturned. Also, the three lights on Route 33 east of Route 29 at the intersection is causing confusion. Mr. Denunzio said he would review both issues.

Mr. Martin said there is a blockage upstream on private land on Simms Road. He asked if VDOT could advise which agency could approach that property owner about the blockage. Mr. Denunzio said it would not be VDOT.

Dr. John Harding, resident of Dogwood Valley Subdivision, was present to request the Board's assistance to improve extremely dangerous roads in the subdivision. He was told by a VDOT employee that the Board can recommend the roads as a "special project". Dr. Harding presented a petition requesting repair of the roads and assistance in solving this dilemma.

Mr. William Maxton, resident of Twin Lakes Subdivision, was present to voice concerns about Route 633 between Route 33 and Swift Run Church, Concerned about ditch conditions, lack of shoulder, and downed trees dangerously close to the road.

Mr. Maxton also questioned if both lanes on Route 33 east of Route 29 at the intersection could be utilized as right turn lanes.

Mr. James Henshaw said both ends of the bridge on Route 230 over South River appear to be sinking. The bridge is high in the middle.

Mr. Henshaw also questioned the letter regarding truck traffic signed by the Mayor of Stanardsville and the County Administrator. Who authorized this letter? Mr. Henshaw said the bridge over Mitchell's Branch on Route 33 and crosswalks being torn up by truck traffic were mentioned in the letter. The bridge is supposedly in a bad state of repair but there are no signs lowering the weight limit posted. He suggested several changes that could be made to make the area roomier for truck traffic.

Mr. Denunzio said the Board could consider the roads in Dogwood Valley subdivision as rural addition projects. Funding is typically an issue.

Mr. Frydl clarified the Board of Supervisors approved the letter to VDOT regarding the recommended alternate route for truck traffic.

RE: SECOND READING – ALLOCATION OF \$19,394.52 FOR VRS REIMBURSEMENT

The Board approved the allocation of \$19,394.52 for VRS reimbursement. First reading of this was at previous meeting.

Recorded vote:	Jim Frydl	-	Yes
	David Cox	-	No
	Eddie Deane	-	Absent
	Davis Lamb	-	Yes
	Bill Martin	-	Yes

Motion carried.

RE: CONSENT AGENDA

Upon motion by Bill Martin and affirmative vote, the Board approved the following items on the consent agenda:

- a. Minutes of October 28, 2014 meeting.
- b. Resolution to proclaim November, 2014 as Complex Regional Pain Syndrome (CRPS) Awareness Month. (See Attachment "A")

Recorded vote:	Jim Frydl	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Absent
	Davis Lamb	-	Yes
	Bill Martin	-	Yes

Motion carried.

Upon motion by David Cox and affirmative vote, the Board approved the resolution to accept and appropriate \$238,220.97 from State/Federal governments and private donations for carryover programs for FY 2014. (See Attachment "B")

Recorded vote:	Jim Frydl	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Absent
	Davis Lamb	-	Yes
	Bill Martin	-	Yes

Motion carried.

RE: OTHER MATTERS FROM BOARD MEMBERS

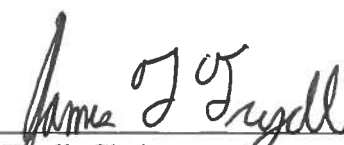
Mr. Cox said he, Mr. Lamb and Mr. Martin attended the VACo Conference. Mr. Lamb said he enjoyed all sessions he attended. Mr. Martin said the budget forecast looks bleaker than he imagined for coming years.

Mr. Martin said rural broadband was discussed also. Buckingham County was able to work with Dominion Power who permitted limited running of fiber optic on power poles. There are many broadband opportunities. There are also great opportunities for economic cooperation regionally if we want to look outside the box for ways to cut costs.

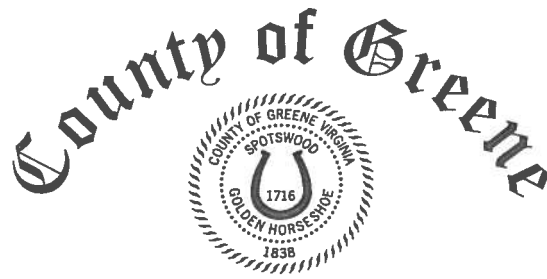
Mr. Frydl said the State underestimated revenue for the current biennium and has already cut \$3 million from the budget. Counties are going to be required to make payment to the State and reductions in education funding will probably be looked at.

RE: ADJOURN MEETING

The meeting adjourned at 10:10 p.m. The next scheduled meeting of the Board of Supervisors will be held on Tuesday, December 9, 2014.



Jim Frydl, Chairman
Greene County Board of Supervisors



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

PROCLAMATION

WHEREAS, Complex Regional Pain Syndrome (CRPS) also known as Reflex Sympathetic Dystrophy (RSD) is a rare nerve disorder which causes the brain to send constant pain signals to the body causing chronic pain; and

WHEREAS, symptoms of CRPS/RSD include dramatic changes in color and skin temperature in the affected limb or body part, swelling, sensitivity and chronic burning pain; and

WHEREAS, CRPS/RSD can occur after an injury or trauma to the affected area of the body; and

WHEREAS, the causes of CRPS/RSD are uncertain and there is currently no cure; and

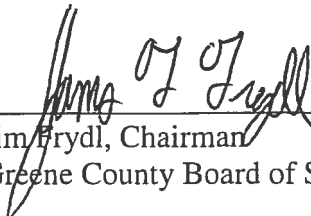
WHEREAS, the National Institute of Neurological Disorder and Stroke (NINDS), dedicated to research for the brain and central nervous system, have scientists studying new approaches to treat CRPS/RSD and intervene more aggressively after a trauma or injury to lower the chances of developing this condition; and

WHEREAS, this research is encouraging to everyone who hopes CRPS/RSD will one day be eliminated; and

WHEREAS, in November members of the Complex Regional Pain Syndrome/Reflex Sympathetic Dystrophy Syndrome community will be spreading awareness around the world of this poorly understood disorder;

NOW THEREFORE BE IT RESOLVED by the Greene County Board of Supervisors to proclaim November, 2014 as Complex Regional Pain Syndrome (CRPS) Awareness Month.

Adopted in Open Meeting this 12th day of November, 2014.



Jim Frydl, Chairman
Greene County Board of Supervisors

RESOLUTION TO ACCEPT AND APPROPRIATE TWO HUNDRED THIRTY-EIGHT THOUSAND TWO HUNDRED TWENTY DOLLARS AND NINETY-SEVEN CENTS FROM THE STATE/ FEDERAL GOVERNMENTS AND PRIVATE DONATIONS FOR CARRYOVER PROGRAMS

WHEREAS, the Board of Supervisors of the County of Greene, Virginia has received grant funding and private donations for various programs; and,


WHEREAS, the following funds in the amount of two hundred thirty-eight thousand two hundred twenty dollars and ninety-seven cents (\$238,220.97) need to be accepted and appropriated to the 2014-15 Operating Budget of the County of Greene, Virginia:

<u>Grant</u>	<u>Amount</u>
Donations-Sheriff	\$ 23,071.12
Donations-Animal Shelter	\$ 4,181.30
Donations-Victim Witness	\$ 109.96
Virginia Domestic Violence Victim Grant	\$ 20,014.96
DMV Sterilization Program	\$ 33.50
DMV Overtime - Alcohol Grant	\$ 2,634.19
Asset Forfeiture-Federal-Sheriff	\$ 326.25
Asset Forfeiture-State-Sheriff	\$ 24,195.35
Asset Forfeiture-State-Commonwealth Attny	\$ 12,347.67
Recreation Facilities	\$ 20,326.05
Transit	\$108,077.94
Byrne Justice Grant	\$ 2,476.00
2013 Homeland Security Grant	\$ 12,500.00
Bullet Proof Vest Grant	\$ 2,301.40
DMV Overtime - Speed Grant	\$ 3,540.78

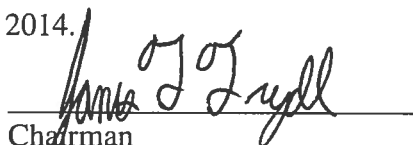
NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that the amount of two hundred thirty-eight thousand two hundred twenty dollars and ninety-seven cents (\$238,220.97) to be received from the above programs be accepted and appropriated to the appropriate line items in the 2014-15 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 12th day of November, 2014.



John C. Barkley, Clerk



Chairman