

February 24, 2015

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, FEBRUARY 24, 2015 AT 6:30 P.M. IN THE COUNTY MEETING ROOM.

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

RE: EXECUTIVE SESSION

Upon motion by Bill Martin 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) PERSONNEL MATTERS
 - 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:	David Cox	-	Yes
	Jim Frydl	-	Yes
	Eddie Deane	-	Yes
	Davis Lamb	-	Yes
	Bill Martin	-	Yes

Motion carried.

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

Recorded vote:	David Cox	-	Yes
	Jim Frydl	-	Yes
	Eddie Deane	-	Yes
	Davis Lamb	-	Yes
	Bill Martin	-	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:	David Cox	-	Yes
	Jim Frydl	-	Yes
	Eddie Deane	-	Yes
	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 PARTNERS – AMEND ZONING ORDINANCE

Mr. Bart Svoboda, Zoning Administrator, reviewed the request from Milestone Partners to revise the Greene County Zoning Ordinance, Article 16-8-9 and all applicable references to include parking ratios for antique/craft shops to be inserted as Article 16-8-9A. (OR#14-009)

The applicant is proposing to amend the current parking ordinance to include a specific use category for antique and craft shops under retail stores. Currently the parking ordinance provides 1 parking space per 200 square feet of retail.

The following is the specific language provided to the Planning Commission for consideration:

16-8-9A Antique or craft shop: One (1) space per employee on the maximum working shift, plus one (1) space per company vehicle operating from the premises plus one (1) space per two hundred (200) square feet of customer service area, but with a minimum of one (1) space per one thousand (1000) square feet of gross floor area.

The Planning Commission recommended approval with the following revisions:

- Strike through: One (1) space per employee on the maximum working shift, plus one
- Strike through: One (1) space per two hundred (200) square feet of customer service area.

The approved revised amendment read:

16-8-9A Antique or craft shop: One space per 1,000 square feet of gross floor area plus one space per company vehicle.

Staff recommended approval per the following:

- When compared statistically and historically to other localities, the proposed parking ratio does accommodate the use.
- The reduction in parking requirements would lessen the need for additional best management practices that are required to meet the new stormwater regulations. This may result in less cost in real estate and less cost for the construction.

- “Reducing Runoff from New Development” document provides specific recommendations for ordinance revisions to accommodate less runoff. The reduction of required parking was a recommendation to help address the “sea” of parking that creates unnecessary runoff.

Mr. L. J. Lopez, Milestone Partners, spoke briefly on the proposed amendment. The request was generated out of specific project needs. Ruckersville Gallery, consisting of 30,000 square feet right now, is contemplating an expansion of an additional 20,000 square feet. The ordinance would require far more parking than what is needed based on experience for that use and the existing operation. There are currently 150 parking spaces on site. The proposed amendment would eliminate the requirement for additional parking.

The hearing was opened and closed with no public comments.

Mr. Svoboda said a separate definition for antique or craft shop is not in the current ordinance. This use falls under the definition for retail shops.

Mr. Clarke asked how this amendment would affect a building being used as an antique/craft shop. Mr. Svoboda said the building would then be restricted to that use or would have to add parking to change the use. Applicants are cautioned during the review process about change of use but the decision is ultimately up to the applicant.

Upon motion by Jim Frydl and unanimous vote, the Board approved the request for ordinance revision by Milestone Partners to revise Article 16-8-9 and applicable references to include parking ratios for antique/craft shops to be inserted as Article 16-8-9A as recommended by staff. (OR#14-009)

16-8-9A Antique or craft shop: One space per 1,000 square feet of gross floor area plus one space per company vehicle.

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

Motion carried.

RE: STREAMWATCH

Mr. David Hannah, Executive Director of StreamWatch, gave a brief presentation on activities and monitoring results. StreamWatch uses rigorous science to monitor and report on the quality of streams in the Rivanna River watershed in support of community efforts to maintain and restore healthy waterways.

StreamWatch is a nonprofit organization founded in 2003. The organization relies on volunteers. Ms. Jill Meyer, a long term volunteer, was also present.

Their core service is a long term monitoring program. The monitoring started with 25 sites and expanded to 50 sites in 2013. StreamWatch also conducts bacteria monitoring and completed a land use study in 2011.

The two biggest factors that affect water quality are impervious surfaces and the amount of forest cover in the watershed.

The types of “aquatic critters” living in the streambeds are a good indicator of water quality. There are bugs ranging from sensitive, to somewhat tolerant, to tough.

A little over 50% of Greene County is in the Rivanna Watershed. There are five sites for testing in the County.

Seventy percent (70%) of sites monitored are failing the Virginia standard of water quality for aquatic life. Despite population growth over the past decade, large changes in stream quality have not been detected. No detectable trends in over 10 years of monitoring.

Mr. Hannah said he was not, and no one should be, content with a 70% failure rate.

Mr. Deane said he would be interested in becoming involved in on-site research. Mr. Hannah said all volunteers are welcome.

RE: FY 2014 AUDIT

Mr. Matt McClearn, of Robinson, Farmer, Cox Associates, was present to briefly review the FY 2014 financial report.

Included in the report are the Independent Auditor’s Report, Management’s Discussion and Analysis, Notes to Financial Statements, Report on Internal Control and Compliance, and Opinion Report (OMB Circular A-133).

The total fund balance at June 30, 2014 was approximately \$15.5 million. The general fund decreased approximately \$932,000. The Debt Service Fund decreased approximately \$783,000. Total decrease of \$1,715,489 and a decrease for the second year in a row.

There is a new compliance requirement from Auditor of Public Accounts, Governmental Accounting Standards Board, regarding accounting for pension liabilities. The Virginia Retirement System (VRS) is currently underfunded. Liability increases as employees get closer to retirement age and as market fluctuates. Beginning FY 2015, this liability will be recorded on the balance sheet.

Mr. McClearn said the County’s financial status for fiscal year 2014 was a stable but declining position.

RE: SPECIAL USE PERMIT REVIEW – MID-ATLANTIC

Mr. Svoboda said condition “L” in the approval of Special Use Permit #11-008, Mid-Atlantic PowerFest/K & B Properties for an outdoor recreational facility, requires a review by the Board of Supervisors every three (3) years. The property owner has indicated he wishes to continue the Special Use Permit under the current conditions.

Since the approval in March, 2012 the Planning/Zoning Department has approved ten (10) zoning certifications for outdoor events. No complaints have been received.

The Special Use Permit conditions cannot be revised nor supplemental conditions be added during this review. Changes would require a Special Use Permit amendment which includes public hearings with the Planning Commission and Board of Supervisors.

Agency comments were received and included in the information packet for review.

Mr. Carroll Morris, applicant, said he would like to clear up misinformation from the Sheriff’s Department regarding an unpaid invoice. Mr. Morris said the \$880 bill was paid and he had the cancelled check. The fire department has a truck on site during events and a crew from

the Madison County Rescue Squad is present also. Mr. Morris said the Sheriff's Department is not used for security due to previous problems.

Upon motion by Bill Martin and unanimous vote, the Board approved the request for continuation of Special Use Permit #11-008, Mid-Atlantic PowerFest/K & B Properties for an outdoor recreational facility.

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

Motion carried.

RE: CENTRAL VIRGINIA REGIONAL JAIL

Mr. Lamb reviewed a recent monthly activity report for the CVRJ and share information with the Board.

Mr. Frydl said no one has questioned services provided at the Jail. The question is why there is such a dramatic change in the budget with no notification. The Board asked specific questions of Mr. Aylor. Mr. Frydl asked if Mr. Lamb is satisfied with the answers and could explain them.

Mr. Lamb felt Mr. Aylor knows what he is doing noting his 30 years of experience in the system. Mr. Aylor has been Superintendent at CVRJ for over 13 years. The Jail was already over capacity in 2010. There were 460 inmates at end of this January. Greene County averaged 55 inmates for the last quarter of 2014.

The expansion is scheduled to open three months after the end of fiscal year 2016. Training for personnel takes about three months. Mr. Frydl questioned why personnel would be hired in FY 2016 when it could wait until the next fiscal year.

Mr. Frydl also asked why almost \$1 million was added to the budget for transfer of prisoners to other facilities. This was not included in the information distributed in December.

Mr. Frydl said there is a significant increase of \$425,000 in operational costs. Mr. Lamb said it is actually only \$158,000 increase because there will not be construction costs for the County next year. Mr. Martin pointed out that is moving funds from construction costs to operational costs and still results in a net increase of almost \$500,000.

Mr. Martin said the Board of Supervisors did not see any figures until December, 2014 which is a little late in the game for such a large increase. This is not the way to budget. Mr. Martin felt Mr. Aylor has failed constituent counties. He doubted that all five County Administrator's and Boards of Supervisors were "asleep at the wheel". Why isn't the plan proposed by the County Administrators being considered?

Mr. Lamb said if a better plan that does not compromise the safety or welfare of inmates and staff is prepared it should be presented.

Mr. Deane noted the Board doesn't receive information about school budget figures, which can be a large increase, in advance of the budget hearings either.

Mr. Martin said the County wants to be responsible for prisoners we're accountable for. We want an efficiently run jail. How can we have confidence moving forward when figures we've seen are so far beyond what could be predicted?

Mr. Lamb said the Jail Board had \$12 million in reserve and will use \$7 million to pay for expansion project.

Mr. Cox said the more he reads the more confused he is. He suggested everyone look at the overall picture. Greene County is part of the regional jail and will have to fund its share. Mr. Cox said it was his understanding when this was approved that there were a bunch of variables regarding costs.

Mr. Barkley said he understood the Jail Board can make any changes they see fit at the budget meeting. County Administrators are still having dialogue about options.

Mr. Frydl said responses haven't really answered questions. Mr. Cox agreed that he doesn't see clear answers on certain things.

Mr. Martin noted the school system provides projected budgets. No one is saying the Jail doesn't deserve money to accomplish tasks. He said the Board is supposed to be working for taxpayers of the County to ensure them that there is "a light at the end of the tunnel" which he can't do based on current information.

Sheriff Smith suggested he ask Mr. Aylor to meet with the Board prior to March 12. He agreed the Board needs to have answers and understand those answers. Sheriff Smith, who also serves on the Jail Board, said he has confidence in Mr. Aylor.

It was the consensus of the Board to ask Mr. Aylor to attend the budget workshop meeting scheduled for March 4.

Mr. Cox noted there is a meeting regarding the Jail next week that Mr. Martin and Mr. Frydl will attend.

RE: RETIREMENT OF CIRCUIT COURT CLERK

Mr. Clark said the County has received notice that Mrs. Marie Durrer, Circuit Court Clerk, will retire effective April 1. Her current term will end December 31. A general election will be held in November. The Board of Supervisors can request the Circuit Court Judge to enter writ for a special election to fill the vacancy. The Code also provides that the Chief Deputy assumes duties until such time as position is filled.

The Registrar has asked the Board of Supervisors to authorize the County Attorney to file a petition with the Judge to make a determination that a Special Election is not necessary given how close it is to the next general election and other factors. A special election could cost \$11,000.

Upon motion by Jim Frydl and unanimous vote, the Board authorized the County Attorney to petition the Judge of the Circuit Court to make a determination that a Special Election is not necessary to fill the vacancy created by the retirement of the Circuit Court Clerk.

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

Motion carried.

RE: MATTERS FROM THE PUBLIC

Mrs. Kiki Flaig said she would like to see more in-depth budget information online. She felt the Board is not giving Mrs. Morris the tools she needs to do her job. She hears that

constituents are apathetic but it is hard to be interested and involved when information is difficult to find.

Mrs. Flaig also said, as a voter, she expects the Board of Supervisors to ask the hard questions regarding the Jail and expects them to have answers that everyone can understand. She will hold Board members accountable on Election Day if questions can't be answered.

Mr. Bob Young, Caradon Drive, acknowledged efforts to have the 2015 budget and audit available on line. He suggested the Board make documents available to the public.

RE: CONSENT AGENDA

Ms. Ginny Reese, Branch Manager of JMRL, spoke briefly on The Big Read which is The Namesake by Jhumpa Lahiri.

Upon motion by Bill Martin and unanimous vote, the Board approved the resolution regarding The Big Read. (See Attachment "A")

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

Motion carried.

Upon motion by Jim Frydl and unanimous vote, the Board approved the resolution to designate Simms Road, Route 642, as a Rural Rustic Road. (See Attachment "B")

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

Motion carried.

RE: COUNTY ADMINISTRATOR'S REPORT

Mr. John Barkley, County Administrator, reported the following:

- Working on website – meeting on March 3, 2015 – provide services so citizens will be able to conduct business online
- Panhandling – issue particularly at intersection of Route 29 and Route 33 – working with Sheriff, Commonwealth Attorney, County Attorney to enforce ordinance
- Working on financial reporting system – making good progress
- Facility fee of \$10 on water and sewer accounts – received lots of calls
- Scheduling meeting with residents of Four Seasons in regards to Tractor Supply entrance

RE: OTHER MATTERS FROM BOARD MEMBERS

Mr. Frydl said the School Board will consider the budget and facilities study at their meeting tomorrow.

Mr. Frydl expressed his appreciation to Mr. Barkley and Mrs. Morris for financial reports. He suggested these reports also be posted online as web site allows.

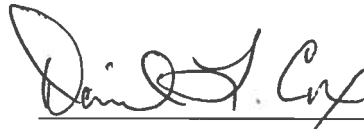
Mr. Martin said he has received a lot of calls regarding the \$10 facility fee also. He felt prior notice should have been provided to citizens.

Board of Supervisors
February 24, 2015
Sheet 8

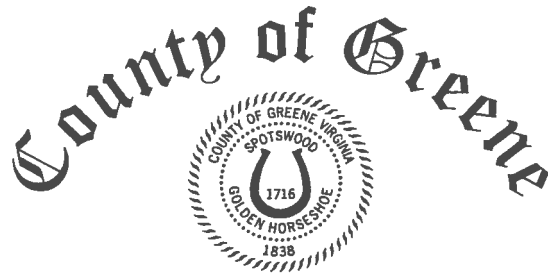
Mr. Cox noted the Board will hold a budget workshop on March 4 starting at 9:00 a.m. in the County Meeting Room.

RE: ADJOURN MEETING

The meeting ended at 10:20 p.m. The next scheduled meeting of the Board of Supervisors will be on Tuesday, March 10, 2015.

A handwritten signature in black ink, appearing to read "David A. Cox". The signature is written in a cursive style with a large initial "D".

David Cox, Chairman
Greene County Board of Supervisors



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

THE BIG READ 2015: "The Namesake" by Jhumpa Lahiri

WHEREAS, The Big Read is designed to restore reading to the center of American culture and provides our citizens with the opportunity to read and discuss a single book within our community; and

WHEREAS, the Jefferson-Madison Regional Library invites all book lovers to participate in the Big Read that will be held throughout March 2015. The Library's goal is to encourage all residents of Central Virginia to read and discuss "The Namesake" by Jhumpa Lahiri; and

WHEREAS, the novel follows the Ganguli family from their traditional life in Calcutta through their fraught transformation into Americans.

WHEREAS, the Big Read is an initiative of the National Endowment for the Arts in partnership with Arts Midwest; and is supported by the Art and Jane Hess Fund of the Library Endowment;

NOW, THEREFORE, be it resolved that the Greene County Board of Supervisors proclaim the Big Read during March 2015 and encourages all residents to read "The Namesake" during this time.

Adopted in Open Meeting this 24th day of February, 2015.



David Cox, Chairman
Greene County Board of Supervisors

GREENE COUNTY, VIRGINIA
BOARD OF SUPERVISORS
RURAL RUSTIC ROAD PROJECT
ROUTE 642, SIMMS ROAD

The Board of Supervisors of Greene County, in regular meeting on the 24th day of February 2015 adopted the following:

RESOLUTION

WHEREAS, Section 33.1-70.1 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Greene County, Virginia desires to consider whether Route 642 Simms Road, From: Route 637 South River Road To: Route 667 Middle River Road should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

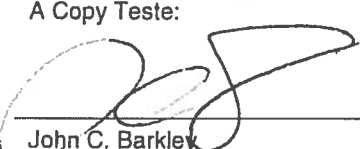
BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Recorded Vote

Moved By:	<u>Jim Frydl</u>
Seconded By:	<u>Davis Lamb</u>
Yeas:	<u>5</u>
Nays:	<u>0</u>

A Copy Teste:

Signed	
Printed Name	<u>John C. Barkley</u>
Title	<u>County Administrator</u>