

June 28, 2016

County of Greene, VA

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, JUNE 28, 2016  
BEGINNING AT 5:30 P.M. IN THE COUNTY MEETING ROOM.

Present were: Bill Martin, Chairman  
Michelle Flynn, Vice Chairman  
David Cox, Member  
Jim Frydl, Member  
Dale Herring, Member

Staff present: John C. Barkley, County Administrator  
Ray Clarke, County Attorney  
Patti Vogt, Deputy Clerk

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.

1) PERSONNEL MATTERS

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.

Interviews – JABA Board of Directors

2) LEGAL

Virginia Code Reference

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.

Pending litigation

Recorded vote:	Bill Martin	-	Yes
	Michelle Flynn	-	Yes
	David Cox	-	Yes
	Jim Frydl	-	Yes
	Dale Herring	-	Yes

Motion carried.

Upon motion by Jim Frydl and unanimous vote, the Board returned to Open Session.

Recorded vote:	Bill Martin	-	Yes
	Michelle Flynn	-	Yes
	David Cox	-	Yes
	Jim Frydl	-	Yes
	Dale Herring	-	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:	Bill Martin	-	Yes
	Michelle Flynn	-	Yes
	David Cox	-	Yes
	Jim Frydl	-	Yes
	Dale Herring	-	Yes

Motion carried.

RE: APPOINTMENT TO JABA BOARD OF DIRECTORS

Upon motion by Michelle Flynn and unanimous vote, the Board appointed Mr. Robert Murphy to the JABA Board of Directors for a two (2) year term.

Recorded vote:	Bill Martin	-	Yes
	Michelle Flynn	-	Yes
	David Cox	-	Yes
	Jim Frydl	-	Yes
	Dale Herring	-	Yes

Motion carried.

RE: PUBLIC MEETING

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

RE: MATTERS FROM THE PUBLIC

None

RE: REVIEW OF BYLAWS

The Board reviewed the bylaws approved at the organizational meeting in January.

Mr. Herring suggested a review of the bylaws in June and January each year.

Mrs. Flynn questioned the reference to Robert's Rules of Order in the bylaws. Mr. Clarke said Robert's Rules are much more cumbersome. The Board compromised by deciding to be guided by rather than be ruled by Robert's Rules.

Mr. Frydl suggested a change to Section 5-1.c. Specifically to delete the wording "or listed under matters from the public." Also suggested a change to Section 7-1.b regarding the statement that the media should be referred to the Chairman or County Administrator regarding any official action of the Board.

Mr. Martin suggested change to Section 2-3.d.3 to read: "The Board shall vote on liaison assignments as required." Also change to Section 3-1.a: delete "The Chairman shall appoint Board members to serve as liaison roles as established by the Board of Supervisors at the Board's annual organizational meeting."

The Board discussed suggested changes and it was the consensus to include all but the suggested change to Section 7-1.b.

Upon motion by Michelle Flynn and unanimous vote, the Board approved the changes to the bylaws as listed. (See Attachment "A")

Recorded vote:	Bill Martin	-	Yes
	Michelle Flynn	-	Yes
	David Cox	-	Yes
	Jim Frydl	-	Yes
	Dale Herring	-	Yes

Motion carried.

RE: AWARD OF BID FOR REASSESSMENT OF REAL PROPERTY

Mr. Barkley reviewed the bids received from Blue Ridge Mass Appraisal Company and Pearson's Appraisal Service for the reassessment of 10,400 parcels. Staff recommended award to Pearson's Appraisal Service at \$5.96 per parcel.

Additional discussion followed. Mr. Cox wanted to make sure there is a clear contract.

Upon motion by Jim Frydl and affirmative vote, the Board awarded the contract for the reassessment of real property to Pearson's Appraisal Service at a cost of \$5.96 per parcel and \$31.25 for new construction.

Recorded vote:	Bill Martin	-	Yes
	Michelle Flynn	-	Yes
	David Cox	-	No
	Jim Frydl	-	Yes
	Dale Herring	-	Yes

Motion carried.

RE: PUBLIC SAFETY SOFTWARE

Major Charles Swingler, Greene County Sheriff's Office, was present to discuss the purchase of public safety software. CAD is short for computer aided dispatch. All Sheriff's

Office, fire departments and rescue squad records are maintained. The office has a VITA grant for \$150,000 to be used for mapping. Possibility grant funds can be used for software.

Mr. Martin suggested, if the situation is budget neutral, it would not have to come before the Board for authorization. The County Administrator needs to be kept apprised of the process. No need for budget neutral issues to come before the Board.

RE: CONSENT AGENDA

Upon motion by Jim Frydl and affirmative vote, the Board approved the minutes of the June 14, 2016 meeting as presented

Recorded vote:	Bill Martin	-	Yes
	Michelle Flynn	-	Abstained.
	David Cox	-	Yes
	Jim Frydl	-	Yes
	Dale Herring	-	Yes

Motion carried.

Mrs. Flynn abstained as she was not present at this meeting.

RE: COUNTY ADMINISTRATOR'S REPORT

See Attachment "B" for County Administrator's report.

RE: OTHER MATTERS FROM BOARD MEMBERS

Mrs. Flynn attended meetings of the Social Services Board and Jefferson Area Board for Aging.

Mr. Herring suggested the Board create a budget process calendar.

Mr. Frydl requested finance reports include information from the same time period for the prior year. He suggested having just expense and revenue columns.

Mr. Frydl said the expansion project at the Central Virginia Regional Jail is going well and is under budget. Expenses to date are considerably less than what was budgeted.

Mr. Frydl said Rapidan Service Authority just completed a water rate study. The study includes data on the operation and replacement/repair of older infrastructure. This is a vast improvement and higher degree of planning than in the past.

Mr. Frydl said there is a group working to determine the cause of water loss at the schools. There is a large pressure loss between the school and the street. They are looking at several options, such as the addition of booster pumps, to offer relief. He noted there is no additional impact on emergency services.

Mr. Martin reviewed upcoming agenda items which included: public hearings, discussion of reserve policy, and recognizing accreditation of Sheriff's Office.

Mr. Martin also noted the sale of a lot in the business park has closed and commented on the 4<sup>th</sup> of July activities in Stanardsville which included a parade and fireworks.

Mr. Martin has received comments liking the way the business corner in Ruckersville is looking. Also comments regarding properties (Mr. B's and Circle Inn Motel) asking if the County can do something to clean them up. There are also a couple of partially burned houses in the community. We should think about creative ways to help clean some of this up.

Board of Supervisors  
June 28, 2016  
Sheet 5

RE: ADJOURN MEETING

Meeting ended at 8:40 p.m. The next scheduled meeting of the Board will be on Tuesday, July 12, 2016 at 7:30 p.m. in the County Meeting Room.

A handwritten signature in cursive script, reading "William Bryan Martin". The signature is written in black ink and is positioned above a horizontal line.

William Bryan Martin, Chairman  
Greene County Board of Supervisors

## **GREENE COUNTY BOARD OF SUPERVISORS BYLAWS**

### **SECTION 1 -- PURPOSE AND BASIC PRINCIPLES**

#### **Section 1-1 Purpose of Bylaws and Rules of Procedure**

- A. To enable County government to transact business expeditiously and efficiently;
- B. To protect the rights of each individual;
- C. To preserve a spirit of cooperation among Board members; and
- D. To determine the pleasure of the Board on any matter.

#### **Section 1-2 Five Basic Principles Underlying Bylaws and Rules of Procedure**

- A. Only one subject may claim the attention of the Board at one time;
- B. Each item presented for consideration is entitled to full and free discussion;
- C. Every member has rights equal to every other member;
- D. The will of the majority must be carried out, and the rights of the minority must be preserved;
- E. Board members should work as a collaborative body to promote effective government.

### **SECTION 2 -- MEETINGS**

#### **Section 2-1 Regular Meetings**

- A. There will be a regular monthly meeting on the second Tuesday of each month at 6:30 p.m. and continued meetings on the fourth Tuesday of each month at 6:30 p.m. The meetings will be held at the County Administration Building located at 40 Celt Road, Stanardsville, VA 22973. A yearly calendar will be developed at the annual organizational meeting.
- B. When a regularly scheduled meeting falls on a legal holiday, the meeting shall be held on the following business day.
- C. The Chairman may cancel a Board meeting due to an emergency. For other changes to the schedule, timing or location of a Board meeting the Chairman will consult with other Board members and obtain a majority consensus for the change.

#### **Section 2-2 Special Meetings**

- A. The Board may hold such special meetings, as it deems necessary, at such times and places as it may find convenient; and it may adjourn from time to time. The Chairman or two (2) or more members may call a special meeting of the Board in such a manner as prescribed by Section 15.2-1418 of the Code of Virginia (1950), as amended. Only matters specified in the notice shall be considered unless all of the members of the Board are present. Where a special meeting has been called the Board shall give to the media and general public such notice of the time, place and purpose of the meeting as is feasible. A quorum is required.

#### **Section 2-3 Annual Organizational Meetings**

Approved as amended – June 28, 2016

- A. The first meeting held after the newly elected members of the governing body shall have qualified and the first meeting held in the corresponding month of each succeeding year shall be known as the annual meeting. The County Administrator shall preside during the election of the Chairman of the Board.
- B. The Chairman shall be elected at the annual meeting for a term of one year. The Chairman may succeed himself/herself in office.
- C. Following the election of the Chairman, he/she will assume the chair and conduct the election of the Vice Chairman.
- D. Following the election of the Vice Chairman, the Board shall:
  - 1. Adopt the yearly calendar for Board meetings.
  - 2. Adopt its Bylaws.
  - 3. ~~The Chairman shall accept Board appointments for~~ Vote on liaison assignments as required.

**Section 2-4 Quorum and Method of Voting**

- A. At any meeting, a majority of the Supervisors shall constitute a quorum. All questions submitted to the Board for decision shall be determined by a recorded roll call voice vote.
- B. Members abstaining shall state for the record their reason for abstaining.
- C. A tie vote fails.

**Section 2-5 Board to Sit In Open Session**

- A. The Board shall sit in open session and all persons conducting themselves in an orderly manner may attend the meetings; provided, however, the Board may conduct Closed Meetings as permitted under the Virginia Freedom of Information Act.

**Section 2-6 Closed Meetings**

- A. Closed Meetings may only be convened in conformance with Section 2.2-3711 of the Code of Virginia (1950), as amended.
- B. No resolution, ordinance, rule, contract, regulation or motion agreed to in a Closed Meeting shall become effective until the Board reconvenes in an open session and takes a vote of the membership on such resolution, ordinance, rule, contract or regulation or motion which shall have its substance reasonably identified in the open meeting.
- C. At the conclusion of a Closed Meeting, the Board shall reconvene in open session immediately thereafter and shall take a roll call vote certifying that to the best of each members' knowledge:

Approved as amended – June 28, 2016

1. Only public business matters lawfully exempted from open session requirements were discussed; and
2. Only public business matters identified in the motion convening the Closed Meeting were heard, discussed or considered.

Any member who believes that there was a departure from the above requirements shall so state prior to the vote, indicating the substance of the departure that, in his/her judgment, has taken place.

- D. The Board may permit non-members to attend a Closed Meeting if their presence will reasonably aid the Board in its consideration of an issue.

### **SECTION 3 -- OFFICERS**

#### **Section 3-1 Chairman and Vice Chairman**

- A. The Chairman shall preside over all meetings of the Board of Supervisors. ~~The Chairman shall appoint Board members to serve in liaison roles as established by the Board of Supervisors at the Board's annual organizational meeting.~~ Upon the death, resignation or other permanent disability of the Chairman to fulfill the duties of his office, the Board shall elect a new Chairman at its next regularly scheduled meeting or as soon thereafter as possible.
- B. The Vice-Chairman shall preside over all meetings of the Board of Supervisors when the Chairman is unable to attend or in absence of a Chairman due to death, resignation or permanent disability until the Board elects a new Chairman in accordance with Section 3-1.A.

#### **Section 3-2 Clerk**

- A. The Clerk of the Board shall be the County Administrator. The County Administrator may appoint one or more members of the County staff to serve as Deputy Clerk of the Board.

#### **Section 3-3 Parliamentarian**

- A. The County Attorney shall serve as the Parliamentarian for the purpose of interpreting these Bylaws and Rules of Procedure and Robert's Rules of Order as may be directed by the Chairman, or as required as a result of a point of order raised by any one or more Board members. If the County Attorney is unavailable, the County Administrator shall serve as the Parliamentarian.

#### **Section 3-4 Preservation of Order**

- A. At meetings of the Board, the presiding officer shall preserve order and decorum.
- B. The Board encourages citizens to work through problems at the department and/or administrative levels before coming to the Board.
- C. Board meetings should not be used as a forum for political activity or campaigning.
- D. The Board will focus on issues and avoid making public comments about individuals, staff members, fellow Board members, community residents or media representatives.



## **SECTION 4 -- CONDUCT OF BUSINESS**

### **Section 4-1 Public Hearings**

- A. Public hearings are held as required to receive community input and citizen comment.
  - 1. Any person desiring to speak shall sign up prior to the meeting and write down their contact information if they want a response.
  - 2. Speakers will be allowed three (3) minutes of time or longer based on the Chairman's discretion. Speakers may not yield their time to others.
  - 3. The Chairman will monitor time and maintain decorum.

(Section 4-1.A – Amended January 12, 2016)

### **Section 4-2 Matters From the Public**

- A. The Board will set aside time for Matters from the Public on each meeting agenda. During this period the Board will receive comment on any non-agenda item or any item not scheduled for a public hearing. The Board will not engage with the citizens in discussion or debate of any comment received. Procedures for matters from the public are as follows:
  - 1. Any person desiring to speak shall sign up prior to the meeting and write down their contact information if they want a response.
  - 2. Speakers will be allowed three (3) minutes of time or longer based on the Chairman's discretion. Speakers may not yield their time to others.
  - 3. The Chairman will monitor time and maintain decorum.

(Section 4-2.A - Amended January 12, 2016)

### **Section 4-3 Consent Agenda**

- A. The Chairman and County Administrator shall style routine, non-controversial matters requiring Board action on a Consent Agenda. Items may be removed from the Consent Agenda and placed on the Regular Agenda at the request of any Board member present. Only one motion is necessary to adopt all recommendations and action items on the Consent Agenda.
- B. The consent agenda for approval of minutes and other routine matters will be considered just prior to other matters from the Board.

### **Section 4-4 Other Matters from the Board**

- A. The Board will follow the procedure of taking no action on items introduced at the table under the category of other matters from the Board members or the County Administrator. If an item is presented for the first time during the course of business by Board members or the County Administrator, any action will be deferred until the next meeting of the Board. Exception will be made by unanimous consent of the Board.

### **Section 4-5 Motions**

- A. No motion shall be discussed prior to being duly seconded in accordance with these Bylaws. A motion on the floor will die for lack of a second.

- B. A substitute motion may be made by any member to any motion properly on the floor. Once seconded, the substitute motion shall take precedence and all debate or action on the existing motion shall cease until the substitute motion is decided. Debate on a substitute motion is permissible. If the substitute motion is passed by a majority vote of the members then present, the original motion is supplanted by the substitute motion. A second substitute motion can be made only after the first substitute motion is decided by vote of the Board. No more than two substitute motions may be made on any agenda item.
- C. No Board member shall abstain from any vote unless there is a conflict of interest.
- D. In accordance with the Code of Virginia, a recorded affirmative vote of a majority of the entire Board shall be required to pass any ordinance or resolution imposing taxes, authorizing the borrowing of money, or appropriating funds in excess of \$500.00.

#### **Section 4-6 Supplemental Appropriations**

- A. Supplemental appropriation requests of local funds will require a second reading.

#### **Section 4-7 Amendment of Rules**

- A. These Bylaws may be amended by majority vote of the entire membership.

#### **Section 4-8 Robert's Rules of Order**

- A. The proceedings of the Board, except as otherwise provided in the Bylaws and Rules of Procedure and by applicable State law, shall be guided by Robert's Rules of Order.

### **SECTION 5 -- AGENDA**

#### **Section 5-1 Preparation**

- A. The Chairman and the County Administrator will set the agenda for meetings. Any Board member can add an item to the agenda, coordinating with the Chairman and the County Administrator to determine when the matter will be scheduled for Board consideration.
- B. Items requested to be on the agenda must be submitted in writing eight (8) working days prior to the meeting to allow for distribution of agenda to the media and for circulation of packet to the Board members. All correspondence addressed to the Chairman and/or to Board Members, that is included in the Board packet, must provide a telephone number and a return address. Individuals and/or departments wishing to provide information to the Board after the stated deadline will be required to mail such information directly to the mailing addresses of individual Board Members with a copy to the County Administrator's Office.
- C. The Board will not address questions or issues raised by citizens at the meeting unless the item is already on the agenda. ~~or listed under matters from the public.~~ Persons wishing to appear before the Board are directed to contact the County Administrator or Board Clerk, to be placed on the agenda.
- D. The Clerk of the Board shall prepare or cause to be prepared extra copies of the agenda and shall make the same available to the public in the Office of the County Administrator. The Clerk shall also have copies available at each meeting. The Clerk shall post the agenda in such public places in the County as shall give the public as much notice of the agenda as is feasible.

### **Section 5-2 Comments, Queries of Board Members**

- A. Board members are to observe the following rule during the discussion of agenda items and public hearings:
  - 1. Comments of Board members must be constructive and germane to the subject at hand.
  - 2. The Chairman rules other comments out of order.

## **SECTION 6 -- BOARD APPOINTMENTS**

### **Section 6-1 Board of Supervisors Liaison Appointments**

- A. The Board, by majority vote, may establish Board liaison positions for departments, committees, partnerships, and other boards as required.
- B. The role of the liaison is to facilitate communication. The liaison will report on matters that may come before the Board or could have a future impact on the Board, staff and citizens of Greene. The liaison as an individual has no authority to act for the Board unless given that authority by majority vote during an established regular meeting.

### **Section 6-2 Citizen Appointments**

- A. All appointments of citizens, other than members of the Board of Supervisors, shall be made by a majority vote of Board members present.

## **SECTION 7 – GENERAL OPERATING POLICY**

### **Section 7-1 Actions by Individual Members of the Board**

- A. Board members will refrain from taking individual actions that require expenditure of public funds or significant staff time regarding matters not in furtherance of Board action.
- B. In responding to questions from the media and citizens, Board members shall not speak for the entire Board without authorization or make any comment on executive session matters as pursuant to Section 2.1-344 of the Code of Virginia. The media should be referred to the Chairman or the County Administrator regarding any official action of the Board.



## County Administrator's Report

June 28, 2016

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- **White Run Reservoir** – The project team continues to develop the plans for design and construction, and our water and sewer rate study is now underway. We are in the process of reviewing the sole proposal received in response to the RFP for the streambank and wetlands mitigation phase of the project, and in the coming weeks we will be working with the responding bidder to structure a recommendation to the Board for an agreement that would ensure regulatory compliance and serve the best interests of all parties involved while we continue to explore our short and long term financing options.
- **Live Streaming/Recording Service – Board of Supervisors Meeting Room** – We have received two estimates for the service and have entered the competitive negotiation phase in preparation for the award of a contract, budgeted for FY 2017. Staff expects to have a full recommendation prepared for the Board of Supervisors in July.
- **FY 2016 Audit** – Close out of FY 2016 has begun, with a goal of presenting unaudited data to the Board by September and a completed financial report to be presented to the Board by December. Staff is working with our auditing firm to add an audit of business license issuance and collection practices to the process.
- **GCPS Water Supply/Pressure** – Staff is working with GCPS officials to resolve water pressure issues at the school facilities (WMHS, WMMS and NGPS) prior the Schools reconvening in September. On May 22 the schools were forced to close early due to lack of water pressure. RSA is currently reviewing the system pressure in the immediate vicinity to determine the necessary upgrades.
- **SB 549 (Proffer Legislation)** – The regional Planning/Zoning committee of the TJPDC has been tasked with the review of the recently enacted proffer legislation. The group will be working with staff at the PDC to explore options and make recommendations for amendments to the bill with regard to many new restrictions on localities' authority to accept cash proffers and require off-site facilities associated with re-zonings. The legislation takes effect July 1, 2016.

## County Administrator's Report, June 28, 2016

- **Spotswood Business Park Sewage Pump Station #13 Testing and Startup** – As expected the existing line has failed pressure tests one of the major pumps in the station appears to be damaged and will need repair, with a total cost of approximately \$15,000 to upgrade the station pumps and equipment and connect the sewer line to the front of the Spotswood Business Park.
- **Employee Performance Evaluations** – Evaluations have been completed by County agencies and constitutional offices, with supervisor/director evaluations ongoing. Salary adjustments will be processed accordingly, effective July 1. This is the 3<sup>rd</sup> year of the County's employee performance evaluation program, and we are beginning to establish more tangible criteria and expectations to build upon and measure from one year to the next, resulting in improved employee accountability, productivity and morale.
- **Board of Supervisors Appeal - Rummage 33** – The Board of Supervisors appeal of the May 25 Board of Zoning Appeals decision to allow a music venue at Rummage 33 has now been filed with the Greene County Circuit Court.
- **Piedmont Regional Dental Clinic Expansion** – Staff continues to work with PRDC to develop a plan and location options for a permanent facility in Greene County. The new Region 10 Community Services Board office is currently under consideration. PRDC is in the process of developing a plan and will be requesting a resolution of support from the Board of Supervisors.