

September 24, 2024

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, SEPTEMBER 24, 2024, BEGINNING AT 4:30 P.M. IN PERSON IN THE COUNTY ADMINISTRATION BUILDING MEETING ROOM

Present were: Marie Durrer, Chair
Davis Lamb, Vice Chair
Steve Catalano, Member
Tim Goolsby, Member
Francis McGuigan, Member

Staff present: Cathy Schafrik, County Administrator
Kim Morris, Deputy Clerk
Jim Frydl, Director of Planning & Zoning
Stephanie Golon, Deputy Director of Planning & Zoning
Kelley Kemp, County Attorney

Planning Commission present: Mark Kelp, Member
Ron Williams
Dave Mastervich, Member
Angela Hawkins, Member

RE: WORKSHOP WITH THE PLANNING COMMISSION REGARDING MANDATORY WATER AND SEWER CONNECTIONS AND DISCUSSION OF PRIORITIES

The Board of Supervisors and the Planning Commission met to discuss the possibility of mandatory water and sewer connections. Currently, Greene County does not have a rigid policy on who must connect to the public water and sewer system. The proposed ordinance aims to mandate connections for new construction or when an existing private system fails. The state code protects existing wells and septic systems, so the mandatory connection requirement would only apply to new construction or when a private system fails. It was recommended that the connection area include all parcels that touch or adjoin the water and sewer infrastructure, based on the state code's allowance to require connection for those properties. There was discussion about including language to address capacity constraints, where the county may not be able to require connection if there is insufficient capacity in the public system. The definition of a "failed" system that would trigger the mandatory connection requirement was an important point of discussion, with the need for clear language to avoid confusion. The appeal process for denied connection requests was also a key topic, with the recommendation that appeals be reviewed by the Board of Supervisors.

The Board of Supervisors also discussed their list of priorities regarding ordinance revisions with the Planning Commission. They discussed performance bonds, data centers, solar panels, agritourism, and the Agricultural Forestal District committee and the order in which they would like staff and the Planning Commission to begin working.

RE: CLOSED MEETING

Ms. Kemp read the proposed resolution for Closed Meeting.

WHEREAS, the Board of Supervisors of Greene County desires to discuss in Closed Meeting the following matter(s):

- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation or briefings in open meeting would adversely affect the negotiating or litigating posture of the public body regarding litigation over zoning matters.
- Discussion of the investment of public funds where competition is involved, where, if made public initially, the financial interest of the governmental until would be adversely affected.
- Consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel.

WHEREAS, pursuant to: §2.2-3711 (A)(6), (A)(7), and (A)(8) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Greene County does hereby authorize discussion of the aforesated matters in Closed Meeting.

Upon motion by Davis Lamb, second by Steve Catalano and unanimous roll call vote, the Board entered into Closed Meeting.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: OPEN MEETING

Upon motion by Steve Catalano, second by Davis Lamb and unanimous roll call vote, the Board returned to open meeting.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

By unanimous roll call vote, 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 closed meeting were discussed.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

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

RE: ADOPTION OF AGENDA

Upon motion by Steve Catalano, second by Tim Goolsby and unanimous roll call vote, the agenda was adopted as presented.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: MATTERS FROM THE PUBLIC

Ms. Renee Birchell comments on the speed issues on Route 670. She said vehicles are driving at excessive speeds, up to 65-70 mph, on a road with a 35 mph and 45 mph speed limit. She has almost been hit twice while getting her mail due to the speeding vehicles. She has contacted VDOT and the Sheriff's Department, but it seems to be an unresolved issue. She also spoke about mud and washout issues from the Creekside development. She said that there have been significant mud and washout issues from the Creekside project, which have flowed down into the nearby creek and onto the road. She also spoke about her water supply concerns and about the county's ability to provide water for the nearly 3,000 new homes that have been approved for

development. She referenced a previous board meeting in 2021 where water was identified as a priority, but she feels nothing has been done to address the issue. Birchell suggested the county consider a moratorium on new development until the water supply issues are resolved.

Mr. Richard Lamb said that he is in favor of the rezoning request from Jodi Shifflett. Lamb believes the parcel should have been rezoned to business a long time ago, as it is surrounded by commercial and business uses. He also suggested that the county should look at utilizing existing resources, such as Greene Mountain Lake, as an alternative water supply source. He estimates Greene Mountain Lake has around 90 acres and could provide several hundred million gallons of water. He believes tapping into Green Mountain Lake could be a much cheaper alternative (less than \$10 million) compared to the estimated \$70-150 million for the proposed reservoir project. He believes the amount of water flowing through Greene Mountain Lake (around 4 million gallons per day) could be a viable water source, with only taking around 1 million gallons per day.

Ms. Ellen Collier said that she agrees with the previous speaker's concerns about the water supply issues in the county. Collier is not sure if using Green Mountain Lake is the right solution, but she believes the supervisors need to find a way to address the water supply challenges. Collier expressed concerns about the rapid development happening in the county, particularly along Route 29 towards Charlottesville. She is worried about the impact of these new developments, noting that it does not seem like all the issues were fully considered or studied. Collier believes the supervisors need to consider the county's infrastructure and really think hard about approving any more subdivisions until the water supply and other infrastructure issues are resolved.

Mr. Dave Waugh, as the current president of The Glen at Deer Lake Estates HOA, states that the current water situation is inadequate for the development that already exists, let alone the new development underway. He expressed concern that the water supply is not sustainable or reliable, which could lead to businesses leaving the county if the issue is not addressed. Waugh indicated that a solution needs to be arrived at very soon to address the water supply issues. He is open to the idea of a reservoir or other solution but emphasizes that a solution is needed. Waugh is unsure if a moratorium on current development would be a good idea, as it could lead to lawsuits. However, he believes future development should be considered carefully in light of the water supply challenges.

RE: Public Hearing to consider a request from Mae G. Shiflett/Jody Vaughn Shiflett to rezone from A-1 to B-3 with proffers. The parcel is located at 14865 Spotswood Trail

Ms. Golon was present to present the request for a rezone from Mr. Jody Shiflett for his property located at 14865 Spotswood Trail and is currently zoned A-1 Agriculture. The property is surrounded by B-3 Business Highway and High Intensity zoning, including Walmart and Lowe's. The property owner is requesting to rezone the 2.41-acre parcel from A-1 to B-3 Business Highway and High Intensity, with proffers. The applicant has proffered out certain uses that the Board had previously identified as potentially too impactful for the property. This was done in response to the Board's feedback and guidance during the earlier rezoning request. The property is located in the county's first-tier growth area, as designated in the comprehensive plan, which

supports the proposed B-3 zoning. The Planning Commission recommended approval of the rezoning request with the proffers submitted by the applicant. The proffers run with the land and are binding on subsequent owners, even if the property is sold. The county is responsible for tracking and enforcing the proffers.

Mr. Shiflett was present and thanked the Board for their consideration of his request.

The public hearing was opened.

There were two speakers who were both in favor of the Board approving this rezone request and another who was hopeful that a tall building would not be built on the property to block the view of the mountains.

The public hearing was closed.

Upon motion by Steve Catalano, second by Davis Lamb and unanimous roll call vote, the Board approved the request for rezone with proffers as presented. (See Attachment "A")

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: MONTHLY WATER AND SEWER UPDATE

Mr. Hutka was present to give the Board an update on water and sewer. Hutka reported that the recent rainfall has helped improve the river levels, but the county is still in a moderate drought. He noted that the water treatment plant has exceeded its withdrawal limit on several days due to the drought conditions. Hutka explained that the county received a letter from the Virginia Department of Health (VDH) on September 11th, notifying the county that it had exceeded its production limits for three consecutive months. The county is required to provide a written plan in response to the VDH letter within 30 days. Hutka stated that the Water and Sewer Committee unanimously voted to recommend that the county continue to move forward with the existing water supply plan, which includes the construction of a reservoir and a new water treatment plant. Hutka clarified that the capital improvement plan includes both funded and unfunded projects, with the unfunded projects intended to be funded through grants or development contributions. He acknowledged the need to provide more detailed information on the funding sources for the various projects in the capital improvement plan. Hutka emphasized that when the county took over the water and sewer system a year ago, it was not a "steady, stable plateau operation," and there were many issues with broken meters, inaccurate records, and the need to catch up on various

maintenance and operational tasks. He went through the projects listed on the Capital Improvements Plan and discussed them and their possible funding.

RE: CONSENT AGENDA

Upon motion by Steve Catalano, second by Davis Lamb, and unanimous roll call vote, the Board approved the consent agenda as presented.

- a. Minutes of previous meetings
- b. Resolution to accept and appropriate \$220,000 for a supplemental CSA appropriation (See Attachment "B")

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: RESPONSE TO VDH LETTER

Mr. Tom Hutka explained that the county received a letter from VDH on September 11th, notifying the county that it had exceeded its water production limits for three consecutive months. The letter requires the county to provide a written plan in response within 30 days of receiving the letter. Hutka stated that the Water and Sewer Committee unanimously voted to recommend that the county continue to move forward with the existing water supply plan, which includes the construction of a reservoir and a new water treatment plant. Hutka noted that this plan has been in the county's long-term plan for 15-20 years and has been supported by the state agencies. Hutka emphasized that the reservoir and new water treatment plant are not just for future growth but are also necessary to maintain safe pressure levels and public health for the county's current water users. He stressed that the existing plan is critical to address the current water supply issues and avoid potential penalties from the state agencies. Hutka stated that there has been regular communication with the Department of Environmental Quality (DEQ) and the Department of Health regarding the county's water supply plan, and they have been fully supportive of the plan.

Upon motion by Davis Lamb, second by Steve Catalano, and unanimous roll call vote, the Board agreed to incorporate the recommendation from the Water and Sewer Committee to move forward with the existing water supply plan which includes the construction of a reservoir and a new water treatment plant and send the response letter to VDH.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: CORRECTION TO MOTION FOR CONSENT AGENDA

Due to an error on the paper copies of the agenda that were shared for this evening's meeting, the Board had to correct their vote on the Consent Agenda to say that the amount appropriated for CSA is \$220,000 and not \$180,000.

RE: BOARD LIAISON REPORTS

There were no Board liaison reports.

RE: COUNTY ADMINISTRATOR'S UPDATE

Ms. Schafrik announced that a mobile mammography van will be available in the county on October 24th. The van will provide the same high-tech services as a traditional mammography facility, and it will accept insurance, as well as provide financial assistance for those without insurance. The goal is to make mammography services more accessible for county residents. Schafrik thanked everyone who volunteered and made the recent Clay Festival a success. She also mentioned the Fun Fair event hosted by the Greene Care Clinic the previous Sunday, which was well-attended. Schafrik reported that the new scales at the transfer station are now in and operational, with some final cleanup work being completed. Schafrik encouraged residents to take advantage of the early voting period, which has already begun, noting that there was a line at the elections office on Friday.

RE: OTHER MATTERS FROM THE BOARD

Mr. McGuigan said that one of the constituents raised the concern that Greene County does not currently offer a GED program. McGuigan stated that he would like to see if the county can direct a cost analysis or program analysis to determine the feasibility of offering a GED program. McGuigan noted that having a GED program is vitally important for somebody's future if they do not have a high school diploma. It was mentioned that a GED program previously existed at the Greene County Technical Center. Mr. Catalano suggested that Ms. Schafrik could approach this issue and come back with a report or funding mechanism proposal for the next board meeting. Schafrik noted that only the School Board can direct the Superintendent to take action on this, but she can at least provide some initial information.

RE: ADJOURN

Upon motion by Steve Catalano, second by Tim Goolsby and unanimous roll call vote, the Board meeting was adjourned.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.



Marie Durrer, Chair
Greene County Board of Supervisors



Cathy Schafrik, Clerk
Greene County Board of Supervisors

AN ORDINANCE (O-2024-010) TO REZONE FROM A-1 (AGRICULTURAL) TO B-3 (BUSINESS HIGHWAY AND HIGH INTENSITY) WITH PROFFERS. MAE G. SHIFLETT/JODY VAUGHN SHIFLETT IS LOCATED AT 14865 SPOTSWOOD TRAIL, IDENTIFIED AS TMP# 60C-(A)-6, AND IS APPROXIMATELY 2.41 ACRES. THE GREENE COUNTY FUTURE LAND USE MAP DESIGNATES THIS PARCEL AS "MIXED USE VILLAGE CENTER ". (RZ#24-002)

WHEREAS, §15.2-1427 and §15.2-1433 of the Code of Virginia, 1950, as may be amended from time to time, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and

WHEREAS, §15.2-2280, §15.2-2285, and §15.2-2286 of the Code of Virginia, 1950, as amended, enables a local governing body to adopt and amend zoning ordinances; and

WHEREAS the Greene County Planning Commission advertised and held a public hearing on the proposed rezoning on August 21, 2024, and all of those who spoke on this topic were heard; and

WHEREAS, the Greene County Planning Commission voted 5-0 to recommend approval of the request to rezone the subject property; and

WHEREAS, public necessity, convenience, general welfare, and good zoning practice support approval of this rezoning and

WHEREAS, the Greene County Board of Supervisors caused to be published a notice of public hearing on this matter in the Greene County Record on September 5, 2024, and September 12, 2024, and

WHEREAS, the full text of this request was available for public inspection in the Greene County Administrator's Office, County Administration Building, 40 Celt Road, Stanardsville, Virginia 22973; and

WHEREAS, on September 24, 2024, the Greene County Board of Supervisors held a public hearing on this matter, and all those who spoke on this topic were heard.

NOW, THEREFORE, BE IT ORDAINED that the Greene County Board of Supervisors hereby approves Ordinance O-2024-003 to rezone from A-1, (Agricultural) to B-3 (Business Highway and High Intensity) with proffers. Mae G. Shiflett/Jody Vaughn Shiflett is located at 14865 Spotswood Trail, identified as TMP# 60C-(A)-6, and is approximately 2.41 acres. The Greene County Future Land Use Map designates this parcel as "Mixed Use Village Center ". (RZ#24-002)

ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON SEPTEMBER 24, 2024.

Motion: Steve Catalano

Second: Davis Lamb

Votes:

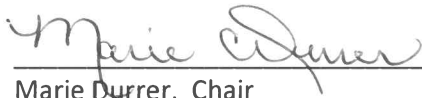
Goolsby: Yes

Durrer Yes

Lamb: Yes

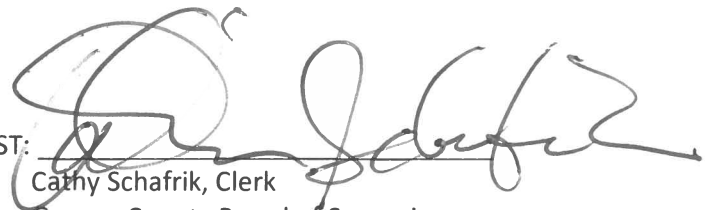
McGuigan: Yes

Catalano Yes



Marie Durrer, Chair
Greene County Board of Supervisors

ATTEST:



Cathy Schafrik, Clerk
Greene County Board of Supervisors

**RESOLUTION TO ACCEPT AND APPROPRIATE TWO HUNDRED AND
TWENTY THOUSAND DOLLARS FOR SUPPLEMENTAL APPROPRIATION TO
THE CSA PROGRAM**

WHEREAS, the Department of Social Services for the County of Greene is requesting funding from the Office of Children's Services which shall be used to provide services to youth in the CSA Program; and

WHEREAS, the funds in the amount of two hundred and twenty thousand dollars (\$220,000.00) need to be appropriated to the appropriate line item in the 2023-2024 budget of the County of Greene, Virginia.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that two hundred and twenty thousand dollars (\$220,000.00) be appropriated to the 2023-2024 budget of the County of Greene.

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 to do all things necessary to give this resolution effect.

Adopted this 24th day of September, 2024.

Motion: Steve Catalano

Second: Davis Lamb

Recorded Vote:

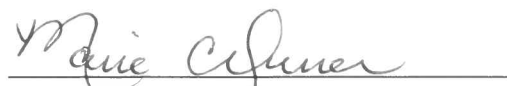
Steve Catalano Yes

Marie C. Durrer Yes

Tim Goolsby Yes

Francis McGuigan Yes

Davis Lamb Yes



Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST:



Cathy Schafrik, Clerk
Greene County Board of Supervisors