

August 22, 2023

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, AUGUST 22, 2023, BEGINNING AT 5:30 P.M. IN PERSON IN THE COUNTY ADMINISTRATION BUILDING MEETING ROOM

Present were: Dale Herring, Chair
Marie Durrer, Vice Chair
Steve Bowman, Member
Davis Lamb, Member
Abbey Heflin, Member

Staff present: Cathy Schafrik, County Administrator
Jim Frydl, Director of Planning & Zoning
Kim Morris, Deputy Clerk
Terry Beigie, Grant Writer
Kelley Kemp, County Attorney

RE: CLOSED MEETING

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

- 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 concerning the Emergency Services Department and appointments to the Region 10 Community Services Board.
- Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.
- Consultation with legal counsel employed or retained by the public body and briefings by staff members pertaining to actual or probable legal litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, regarding specific legal matters, namely, Taylor, et.al. v. Greene, Greene v. Wilson, In re: March 22, 2023, decision of the BZA; and Greene v. Shafer.

WHEREAS, pursuant to: §2.2-3711(A)(1), (A)(3), and (A)(7), 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 Marie Durrer and unanimous roll call vote, the Board entered into Closed Meeting.

Recorded vote:	Marie Durrer	-	Yes
	Dale Herring	-	Yes
	Steve Bowman	-	Yes
	Abbey Heflin	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: OPEN MEETING

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

Recorded vote:	Marie Durrer	-	Yes
	Dale Herring	-	Yes
	Steve Bowman	-	Yes
	Abbey Heflin	-	Yes
	Davis Lamb	-	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
	Dale Herring	-	Yes
	Steve Bowman	-	Yes
	Abbey Heflin	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: APPOINTMENT OF WENDY MITHCEM TO THE REGION TEN COMMUNITY SERVICES BOARD

Upon motion by Davis Lamb, second by Steve Bowman and unanimous roll call vote, the Board appointed Wendy Mitchem to the Region Ten Community Services Board for a three-year term which will expire on August 1, 2026.

Recorded vote:	Marie Durrer	-	Yes
	Dale Herring	-	Yes
	Steve Bowman	-	Yes
	Abbey Heflin	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: DEFERRAL OF THE PUBLIC HEARING FOR REZONING CASE 0-2023-006 TO A DATE CERTAIN OF SEPTEMBER 12, 2023, AT THE REQUEST OF THE APPLICANT

Upon motion by Abbey Heflin, second by Marie Durrer and unanimous roll call vote, the Board deferred the public hearing for rezoning case 0-2023-006 to a date certain of September 12, 2023, at the request of the applicant.

Recorded vote:	Marie Durrer	-	Yes
	Dale Herring	-	Yes
	Steve Bowman	-	Yes
	Abbey Heflin	-	Yes
	Davis Lamb	-	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 Bowman, second by Marie Durrer and unanimous roll call vote, the agenda was adopted as amended.

Recorded vote:	Marie Durrer	-	Yes
	Dale Herring	-	Yes
	Steve Bowman	-	Yes
	Abbey Heflin	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: MATTERS FROM THE PUBLIC

Mr. Steve Barber was present to say that the Planning and Zoning department always support the developer and there are no truly independent studies presented as they should be done by someone outside of the County government. He said that adjoining property owners should be allowed time during the public hearing to present their independent impact study and concerns. The study group should have access to all of the development plans and data that is available to the county staff. You could decide tonight to approve this opportunity for the citizens to be given equal time to counter the planning and zoning findings, which always seem to support the

developers. The deferred public hearing for the Blue Ridge summit development should be extended to the first board of supervisors meeting in October so that the citizens would have time to prepare a presentation of their own. He said that it's time to allow the citizens more than three minutes each to present their side of the issues.

Ms. Gloria Bright was present to share the concerns she has about the service provided by Jaunt. She said that she has to wait for four hours after her dialysis treatments, which she takes three times per week, for the Jaunt bus to pick her up and take her back home.

Mr. Francis McGuigan was present to ask Chairman Herring why the corporation that sought the PUD approval, which was supposed to be presented tonight, had months and years to create a presentation, as did the Planning department with its glowing endorsement, but the citizens of the county only had a few weeks. He said that, late yesterday, two board members were blindsided by the news that the decision on the PUD was deferred at the request of the developer. He said that such actions undermine the public's faith in the deliberative process. It makes them feel that the process is more gamesmanship rather than a rational discussion of decisions in the interest of the community that it serves. He said that he would like to know that, in the future, citizens will be granted the rights equal to that of corporations and developers and be able to request deferrals.

Mr. James Henshaw was present to say that he was upset that he was not aware of the deferral of the rezone request until right before the meeting started. He also said that he feels the public should be able to speak for more than three minutes. He said that the County should buy the property that the rezone request is for to build schools for future needs.

RE: VDOT QUARTERLY UPDATE

Ms. Carrie Shephard was present to share VDOT's quarterly update with the Board. She said that the Route 29/Route 609 R-Cut is in progress. She said they have finished the design engineering and have placed the order for materials, which can take 60-90 days to come in. She said, worst case scenario, they are looking at November to move forward. The Route 636 Goose Pond Road bridge replacement is in its early stages and has finished preliminary engineering. They will next be looking at scoping and the ad date is still June 2025. She said that for Rural Rustics, Icehouse Road is complete, and the speed limit has been posted. South River Road is under construction and paving is expected this week. Ms. Shephard said that, regarding construction activities, Route 29/Route 33 is complete, and all punch list items have been addressed. Mr. Bowman thanked Ms. Shephard and VDOT for the way that project was handled. He said that the disruption was minimal and that he feels they did a fantastic job. Ms. Shephard said that the Route 638 Turkey Ridge Road bridge replacement is under construction and the completion date is December 15. Ms. Shephard said that at the last quarterly meeting, the fatality on Matthew Mill Road was discussed. She said that VDOT had finished their fatal crash review and they had noted that the vegetation needed to be trimmed back which they have done and will continue to monitor. The traffic engineering department is going to be investigating whether this segment is

a good candidate for high friction surface treatment. She said that four of the seven crashes occurred on a wet surface, and one was on an icy surface.

Mr. Lamb asked whether there could be a weight restriction posted for trucks on that road. Ms. Shephard said that it would have to go through the route truck restriction process like Fredericksburg Road did.

Ms. Bowman said that he had received several comments for citizens about an area just across the Greene County line at Simmons Gap Road where the vegetation was growing out so much that you have to put your vehicle into the road to be able to see if it's safe to turn. Ms. Shephard said that she would look into it.

Ms. Heather Dow asked if the R-cut proposal for the Route 609/Route 29 intersection was the finalized plan for that intersection. Ms. Shephard said that, yes, at the request of the Board, VDOT will be moving forward with that project. Ms. Shephard said that they would not be doing any grading of Route 29 and that the turn lane would be extended to accommodate the U-turns. Ms. Dow asked if there could be a flashing sign as a warning. Ms. Shephard said that is not something VDOT is currently looking into because of the short turn around time until the project actually starts.

Mr. Pat Willenborg asked about the process of looking at the speed limit on Beasley Road. He said that, after the last quarterly meeting, the response to citizens that asked to have the speed limit looked at was to raise it. Ms. Shephard said that they did not raise the speed limit on Beasley and that there was the section at the beginning that was the rural rustic that a speed study was conducted on, which is which is the common process. She said that they do the rustic paving and then come back and do a traffic engineering study and that is how they arrive at the speed limit. It is statutory 35 and that is usually what they are posted at. They are never posted higher than that on the rural rustic designated routes. So, the section that was 40 miles per hour was actually 40 miles per hour before VDOT came in and did the rural rustic. As far as continuing to review, since VDOT has recently reviewed the road and done a speed study and we can't find that there have been substantial changes to the road or crash history to support it, so it doesn't warrant VDOT to then perform another speed study.

The Board thanked Ms. Shephard for her presentation.

E: CONSENT AGENDA

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

- a. Minutes of previous meeting
- b. Refund request from the Commissioner of Revenue in the amount of \$2,983.93 (See Attachment "A")
- c. Resolution to accept and appropriate \$8,792.80 in State Asset Forfeiture funds to the Sheriff's Office for FY 2023 (See Attachment "B")

- d. Resolution to accept and appropriate \$2,434.77 in State Asset Forfeiture funds to the Commonwealth's Attorney for FY 2023 (See Attachment "C")
- e. Resolution to accept and appropriate 910.33 for fees collected by the Sheriff's Office for FY 2023 (See Attachment "D")
- f. Appoint County Administrator, Cathy Schafrik, to the Central Virginia Partnership for Economic Development

Recorded vote:	Marie Durrer	-	Yes
	Dale Herring	-	Yes
	Steve Bowman	-	Yes
	Abbey Heflin	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: BOARD LIAISON REPORTS

Mr. Lamb said that he attended the Social Services meeting.

Mr. Bowman said that he was on vacation and was not able to attend the last School Board meeting, but that they would meet next on the 13th. He attended the Planning Commission meeting on the 16th virtually where they discussed priorities from the Strategic Plan. He said that they will vote on the recommendations that were discussed at their next meeting. He said that he hopes that, when the Board gets those recommendations from the Planning Commission, that we would generate an annual implementation plan based on those priorities that the Board would provide to the County Administrator so she could provide them to staff. He said that he hopes that the County Administrator would report monthly on the status. Lastly, he said that he hopes that the new Board in 2024 would budget and target resources to the administration to accomplish these tasks that need to be done.

Mr. Herring said that the TJPDC did not meet in the month of August. He said that the ESAB met and talked about recruitment and retention. He asked that the Board consider the options given for recruitment and retention during the upcoming budget. He said that Rivanna River Basin Commission met and had a good presentation about a TMDL or Total Maximum Daily Load concerning the streams and pollutants and what they can handle. He said that the presentation is on the DEQ website.

RE: COUNTY ADMINISTRATOR'S UPDATE

Ms. Schafrik said that she wanted to thank the DMV for coming out with their mobile DMV To Go. She said that there was a good crowd of people and that they plan on coming back. Ms. Schafrik also wanted to let everybody know that we've started a newsletter out of the County Administrator's Office to be able to help share a lot of the current information. She said that there is a link to register on Facebook and that it will be available on the website as well. Ms. Schafrik said that, at the upcoming meeting, we will be closing out the discussion about the pay plan which is finished and that we are going to be bringing some additional information on a regular basis for water and sewer to keep everyone up to date on with those projects as well.

RE: OTHER ITEMS FROM THE BOARD

Mr. Bowman suggested to Ms. Schafrik that there be an on-boarding process for new Board members. He said that there was not one when he got elected to the Board and he feels that an orientation would be very beneficial. Mr. Herring said the he'd also recommend the VACo training session for new Board members. He said that they did not have it during Covid, but that it is a very helpful training that goes over the legal process, the BOS manual and talked about what you can and cannot do as a Board member.

RE: ADJOURN

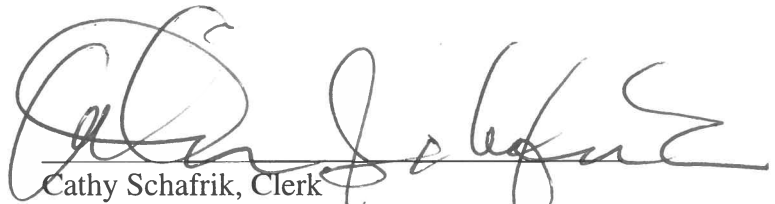
Upon motion by Steve Bowman, second by Davis Lamb and unanimous roll call vote, the Board meeting was adjourned.

Recorded vote:	Marie Durrer	-	Yes
	Dale Herring	-	Yes
	Steve Bowman	-	Yes
	Abbey Heflin	-	Yes
	Davis Lamb	-	Yes

Motion carried.



Dale Herring, Chair
Greene County Board of Supervisors



Cathy Schafrik, Clerk
Greene County Board of Supervisors

Greene County Commissioner's Office

P. O. Box 438
Stanardsville, VA 22973-0438

Phone 434-985-5211
Fax 434-985-5283

Date: July 25, 2023

TO: Greene County Board of Supervisors

FROM: Kimberly Tate, Commissioner of the Revenue

RE: Refund Request of \$2,983.93 for qualified disabled veteran

Taxpayer submitted qualifying paperwork as a disabled veteran which initiated a partial abatement for 2022 and a full abatement for 2023. This resulted in an overpayment of \$2,983.93 for which a refund is due.

**RESOLUTION TO ACCEPT AND APPROPRIATE EIGHT THOUSAND SEVEN
HUNDRED NINETY-TWO DOLLARS AND EIGHTY CENTS FROM THE STATE
GOVERNMENT FOR FORFEITED ASSET PROGRAMS**

WHEREAS, the Sheriff's Office of the County of Greene, Virginia has received funding from the State Government for expenses; and

WHEREAS, the funds in the amount of eight thousand seven hundred ninety-two dollars and eighty cents (\$8,792.80) need to be appropriated to the appropriate line item in the 2022-2023 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 eight thousand seven hundred ninety-two dollars and eighty cents (\$8,792.80) be appropriated to the 2022-2023 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 22nd day of August, 2023.

Motion: Steve Bowman

Second: Davis Lamb

Recorded Vote:

Steve Bowman Yes

Marie C. Durrer Yes

Abbey Heflin Yes

Dale R. Herring Yes

Davis Lamb Yes



Dale R. Herring, Chair
Greene County Board of Supervisors

ATTEST:



Cathy Schafrik, Clerk
Greene County Board of Supervisors

**RESOLUTION TO ACCEPT AND APPROPRIATE TWO THOUSAND FOUR HUNDRED
THIRTY-FOUR DOLLARS AND SEVENTY-SEVEN CENTS FROM THE STATE
GOVERNMENT FOR FORFEITED ASSET PROGRAMS**

WHEREAS, the Office of the Commonwealth's Attorney of the County of Greene, Virginia has received funding from the State Government for expenses; and,

WHEREAS, the following funds in the amount two thousand four hundred thirty-four dollars and seventy-seven cents (\$2,434.77) need to be accepted and appropriated to the 2022-2023 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 thousand four hundred thirty-four dollars and seventy-seven cents (\$2,434.77) be appropriated to the 2022-2023 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 22nd day of August, 2023.

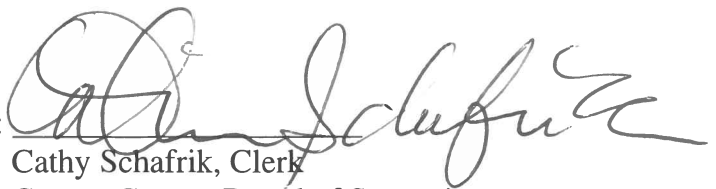
Motion: Steve Bowman
Second: Davis Lamb

Recorded Vote:

Steve Bowman	<u>Yes</u>
Marie C. Durrer	<u>Yes</u>
Abbey Heflin	<u>Yes</u>
Dale R. Herring	<u>Yes</u>
Davis Lamb	<u>Yes</u>



Dale R. Herring, Chair
Greene County Board of Supervisors

ATTEST: 

Cathy Schafrik, Clerk
Greene County Board of Supervisors

**RESOLUTION TO ACCEPT AND APPROPRIATE
NINE HUNDRED TEN DOLLARS AND THIRTY-THREE CENTS
FOR SHERIFF FEES**

WHEREAS, the Sheriff's Office for the County of Greene has collected fees; and

WHEREAS, the funds in the amount of nine hundred ten dollars and thirty-three cents (\$910.33) need to be appropriated to the appropriate line item in the 2022-2023 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 nine hundred ten dollars and thirty-three cents (\$910.33) be appropriated to the 2022-2023 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 22nd day of August, 2023.

Motion: Steve Bowman
Second: Davis Lamb

Recorded Vote:

Steve Bowman	<u>Yes</u>
Marie C. Durrer	<u>Yes</u>
Abbey Heflin	<u>Yes</u>
Dale R. Herring	<u>Yes</u>
Davis Lamb	<u>Yes</u>



Dale R. Herring, Chair
Greene County Board of Supervisors

ATTEST:



Cathy Schafrik, Clerk
Greene County Board of Supervisors