

July 13, 2021

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, JULY 13, 2021, BEGINNING AT 5:30 P.M. IN PERSON IN THE COUNTY ADMINISTRATION BUILDING MEETING ROOM AND BY ZOOM VIDEO COMMUNICATION

Present were: Bill Martin, Chair
Marie Durrer, Vice Chair
Steve Bowman, Member
Dale Herring, Member
Davis Lamb, Member

Staff present: Mark B. Taylor, County Administrator
Kelley Kemp, Assistant County Attorney
Kim Morris, Deputy Clerk
Jim Frydl, Director of Planning and Zoning
Tracy Morris, Director of Finance
Melissa Meador, Director of Emergency Services

RE: CLOSED MEETING

Ms. Kemp read the proposed resolution for closed meeting.

Upon motion by Dale Herring and second by Davis Lamb and unanimous roll call vote, the Board approved the following:

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 disciplining staff by the County Administrator.
- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body concerning RSA

WHEREAS, pursuant to: §2.2-3711(A)(1) 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.

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: OPEN MEETING

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

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	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:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

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 Dale Herring, second by Davis Lamb and unanimous roll call vote, the Board approved the agenda as presented.

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: UPDATE ON COVID-19

Ms. Meador gave an update on the local and regional statistical data of the numbers of COVID cases, hospitalizations and fatalities. We are showing an increase of 22 new cases, 2 new hospitalization and 2 new deaths since our last update. Approximately 54.6 percent of our community has had at least one dose and 49 percent have been fully vaccinated. The Blue Ridge Health District has started breaking out their data for the “adult population” and those percentages show adults with at least one dose is 66.6 percent and adults that are fully vaccinated at 60.6 percent. Blue Ridge Health District is working on some new strategies for testing and vaccine sites as some are showing low numbers. They should have an announcement of new plans in the near future. They are planning to be present at the Livestock Show to administer vaccines. Mr. Martin remarked that the numbers for the adult population are very promising.

Mr. Taylor asked if he could have the floor for just a moment while Ms. Meador was still at the podium. He told the Board that Ms. Meador was, today, the recipient of the Thomas Jefferson EMS Council’s 2021 Regional Award for Outstanding EMS Leadership. She was nominated by her peers for her work during the pandemic and for developing and implementing the Greene County EMS Department. As a regional winner of this award, she will be judged, at the state level, in the Governor’s EMS Awards later this year. He said that we are exceedingly proud and congratulated Ms. Meador.

Ms. Meador thanked Mr. Taylor for his kind words. She took a moment to explain a situation that took place in which an incident was dispatched for a cardiac related event in Ruckersville. Our two units were committed to other calls when this call came out. Dispatch had asked for mutual aid but was denied by Madison, Orange and Albemarle Counties. Ms. Meador responded and found a patient that was rapidly deteriorating. Supervisor Anderegg arrived on scene and they decided to medivac the patient by Pegasus, which was out of service. Pegasus Ground unit had an ETA of forty minutes. Supervisors Anderegg said they had to get the patient to the hospital as soon as possible, so they decided to transport the patient in Ms. Meador’s county vehicle to meet a rescue squad unit that was headed back into the County. This is a violation of the Virginia OEMS rules and regulations. You are not supposed to transport a patient in a non-transport vehicle. There was an anonymous complaint made to the Office of EMS. It is currently under review. We may receive a citation. The patient was released from the hospital intensive care unit six days later and had been diagnosed with a heat stroke. The mortality rate for a heat stroke is forty percent. This rate jumps to eighty percent with treatment delays.

Mr. Martin read a statement of support of by the Board of Supervisors for Ms. Meador and Mr. Anderegg for their decision to put the patient first. (Attachment “A”)

RE: MATTERS FROM THE PUBLIC

Ms. Tiny Tang was present to thank the Board for their consideration of her resolution of support for the education of residents regarding organ transplant tourists in China.

Ms. Suzanne Lawson was present regarding her concern for the glamping sites on 810 and Mutton Hollow. Mr. Martin said there is currently no application to be considered before either the Planning Commission or the Board of Supervisors.

RE: CONSENT AGENDA

Upon motion by Dale Herring, second by Steve Bowman and unanimous roll call vote, the Board approved the following items:

- a. Minutes of previous meeting
- b. Resolution to educate Greene County residents and the medical community on the risks of traveling to China for organ transplant (Attachment "B")

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: PUBLIC HEARING TO CONSIDER A REQUEST FROM ELKAY PARTNERS, LLC FOR A REZONE FROM B-2 TO B-3 OF A 5.43-ACRE PARCEL IDENTIFIED AS TMP# 38-(A)-72 AND IS LOCATED AT 9661 SPOTSWOOD TRAIL

Mr. Frydl explained the rezoning request from Elkay Partners, LLC located at 9661 Spotswood Trail from B-2 to B-3. The property is an office building with some warehousing/manufacturing space in the back. B-3 would be a wider use for this type of building. It is in an area that already has B-3 properties around it. A change to B-3 zoning means that all B-1 and B-2 uses are by-right, as well. There were no comments from Erosion and Sediment Control or Emergency Services. The Comprehensive Plan encourages mixed-use development in this area. Staff is supportive of this request. The Planning Commission recommended approval with a 5-0 vote of this rezone as presented by the applicant.

The public hearing was opened and closed with no comments.

Mr. Herring said that this rezone makes sense as presented.

Mr. Lamb asked if the rezone created any additional impacts. Mr. Frydl said it does not.

Mr. Martin said that this is a key parcel in the Stanardsville area. He feels that the owners have done a good job and that this decision would support economic growth in the area.

Ms. Durrer and Mr. Bowman agree.

Upon motion by Marie Durrer, second by Dale Herring and unanimous roll call vote, the Board approved the request from Elkay Partners, LLC to rezone TMP# 38-(A)-72 from B-2 to B-3. (See Attachment "C")

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: PUBLIC HEARING TO CONSIDER A REQUEST FROM GREENE MOUNTAIN LAKE ABNB, LLC/LUCAS AND CAITLIN HOGE REQUEST A SPECIAL USE PERMIT FOR TOURIST LODGING ON APPROXIMATELY 0.52 OF AN ACRE LOCATED IN GREENE MOUNTAIN LAKES SUBDIVISION AT 560 AND 560B SUNSET DRIVE, STANARDSVILLE, IDENTIFIED ON COUNTY TAX MAPS AS 37C-(9)-38. (SUP#21-005)

Mr. Frydl explained that Lucas and Caitlin Hoge have requested a Special Use Permit (SUP) for Tourist Lodging as listed in Article 5-1-2.4 in the Greene County Zoning Ordinance on approximately 0.52 of an acre, zoned R-1, Residential that is located in Greene Mountain Lakes Subdivision at 560 and 560B Sunset Drive, Stanardsville. The property is identified on County Tax Maps as 37C-(9)-38. The Greene County Comprehensive Plan, Future Land Use Map designates this parcel as "Rural Area". Mr. Frydl showed many photos of the property. He said that the Comprehensive Plan supports this application. The impacts have been reviewed and the applicant has provided conditions to address the possible impacts. Those conditions are as follows:

- a. 12 adults maximum.
- b. 1 parking space per bedroom; 5 total
- c. No events such as weddings, bachelor/bachelorette parties, or other similar activities shall be permitted.
- d. 3-night minimum and 21-day maximum to prevent weekenders and extended stay vacationer.
- e. We will commit to meet with our neighbors in 544 and 555 Sunset Drive to discuss landscape improvements to the immediate area around our home and cul-de-sac to address any joint concerns.

To retain the character of the neighborhood and to ensure public, safety, and welfare the Planning Commission recommended to deny (4-1 vote) the proposed tourist lodging at the June 16th public hearing.

Mr. Herring asked how many Airbnb's are currently in Greene Mountain Lake. Mr. Frydl said there are three.

Mr. Bowman asked how the Special Use Permit conditions are enforced when there is no SUP in place versus when there is an SUP in place with conditions. Mr. Frydl said that the enforcement is the same for each situation. The Planning and Zoning Department works on a complaint basis. The Hoge's did not know that they needed a SUP and were operating without one. The Planning and Zoning Department received a complaint, which they investigated and tried to determine the best way to come into compliance.

Mr. Martin asked if staff knew whether there are covenants and restrictions in place that states anything about Airbnb or rental properties. Mr. Frydl said that the letter that was received from the developer of the subdivision was cautiously written to state that he didn't believe it was the intent of the development, but neither did he want to stop anyone from doing what they wanted to with their property. The County does not have any authority where covenants and restrictions are concerned. Those are usually more strictly written than the County Code and are only enforceable by the Circuit Court. Mr. Martin said that he believes that deeded restrictions trump Zoning Ordinances. Ms. Kemp said that, from a Zoning perspective, covenants and restrictions would not be relevant to the County when enforcing a violation. The home-owners group would be the appropriate party to enforce those restrictions.

Mr. Hoge addressed the Board by saying that he did not envy the decision that they had to make tonight that would impact many good people. He said that many of the residents of the lake had stated that they would like to sign the petitions, both for and against, this Special Use Permit just so they would be left alone. The petitions can not be compared fairly because of this. He said that they had tried to contact their neighbors many times with no response. He said that a Special Use Permit would put limits on things like the number of people, cars and lengths of stay the other homes don't have to abide by. Mr. Hoge spoke of the lack of harmony between his neighbors. He talked about the benefits to the community his Airbnb offered such as the revenue brought to the County with the purchase of entertainment, food and groceries, as well as the support of other local businesses. He asked that the Board vote tonight based on the merits presented and logic, not based on the emotions of the most opinionated or the hysteria they have tried to establish.

Mr. Martin asked Mr. Hoge about the complaints that he was aware of specific to the guests in his home. Mr. Hoge said that he was made aware during the Planning Commission meeting that someone had walked across his neighbor's yard to access the beach. He also had a guest that had a birthday party and the Sheriff's Office was called because they were still outside as 10:00 p.m. approached. The guest said that they quieted down as soon as they were asked and stated that the Deputy said there was not enough noise to elicit a citation.

Mr. Herring asked Mr. Hoge how many stays he has had in the past six months. Mr. Hoge said approximately thirty. Mr. Herring asked that, out of those thirty stays, has he only received those two complaints, that he knows of. Mr. Hoge said yes.

Ms. Durrer asked Mr. Hoge approximately how many days of the year does his family live in his home in Greene Mountain Lake. Mr. Hoge said that they purchased the home in November,

rented it out some during the holidays and then were home from February to March. He stated that they do travel more than they are home.

Mr. Lamb asked Mr. Hoge what his primary address is. He replied it was this property. Mr. Lamb asked if he owned other properties and Mr. Hoge said yes. Mr. Lamb asked if these were in tourist registries or tourist zones. Mr. Hoge said they are all permitted where they need to be.

Mr. Martin thanked Mr. Hoge and opened the Public Hearing. There were sixteen people that spoke.

Those that spoke against approval of the SUP addressed the following topics:

- a. Detriment to neighbor's equity
- b. Too much traffic in a residential neighborhood
- c. Privately maintained road and water system
- d. Non-residents walking through the neighborhood
- e. Tourist lodging saturation for the area
- f. House is too large on a small lot in a narrow cul-de-sac
- g. Noise
- h. SUP stays with property for perpetuity
- i. No enforcement mechanisms by County
- j. Parking on the street
- k. Tourist lodging should not be allowed in R-1
- l. Trespassing
- m. Tonight's decision will set a precedent for future applications

Those that spoke for the approval of the SUP addressed the following topics:

- a. Hoge's are entrepreneurial and looking for a better future for their family
- b. Hoge's show good integrity
- c. Airbnb has a strong vetting service pertaining to their guests
- d. Good for the economics of our community
- e. Provides jobs
- f. Property manager is available 24-7
- g. Prime location because it borders only one other home
- h. Hoge's should not be penalized because of previous owner's behavior
- i. Airbnb reviews show it is families that visit

There were also several letters and emails received, both in support of approval and denial of this SUP.

The Public Hearing was closed.

Mr. Lamb said that he was conveying a statement by Mrs. Burkholder, that could not be present tonight, saying that she would like to ask the Board to deny this SUP.

Mr. Herring said there are three permitted Airbnb's in Greene Mountain Lake and three hundred seventeen homes equating to 0.95 percent of the properties being Airbnb. Mr. Frydl said there is another one coming to the Planning Commission next week and another that they have received a complaint on about running an unpermitted Airbnb. Mr. Herring clarified that all special use permits do stay with the property and not the owner.

Mr. Martin asked Mr. Hoge if he would like to respond to comments made during the Public Hearing. He thanked all speakers for their comments. He said there is a lack of communication which is leading to a lot of misunderstanding about this SUP. He said that he will continue to Airbnb his property regardless of the outcome of tonight's meeting because he does not need a permit for rentals longer than thirty days. He said that this SUP would actually help to mitigate a lot of the concerns of his neighbors, but without it, there are not limits placed on the number of guests or number or cars allowed. He said that their house was marketed as an Airbnb when they purchased it.

Mr. Martin said that the Board created this ordinance because of demand by the community and it follows State and Federal laws. He said that we welcome the extra revenue from tourist dollars and that this use does fit our Comprehensive Plan, but that this is a work-in-progress here, as it is all over the world. He said that, in regards to the covenants and restrictions, homeowners should be sure to read them when they buy their property and they should continue to try to talk it out with the home-owners association when there is conflict. It is easy to lay blame on the government regarding enforcement but the communities need to look at themselves, as well.

Mr. Lamb said that when there were B&B's originally, the primary owner had to be living in the residence when operating the B&B. He thinks these properties are getting out of hand. People's homes are their biggest purchase of their lives and they should not have to lose equity because of neighbors choosing to Airbnb their homes.

Mr. Bowman said that he's always been a big proponent of property rights, but he also feels strongly about strong neighborhoods, so he will vote against this SUP.

Ms. Durrer agrees with Mr. Bowman. She said that when you buy your home, you buy into the community. You don't want to have different neighbors every weekend. She also will not support this application.

Mr. Herring asked if you could set a limit as far as the number of years a SUP could last. Ms. Kemp said that you cannot. He also asked if you could set a condition on a SUP that it would be surrendered when the property changed hands. Ms. Kemp said no, it runs with the land.

Mr. Martin said he is a big supporter of reasonable, rational tourist lodging applications. He said that these applications in R-1 settings are particularly troublesome. He is a firm believer in property rights until they infringe on others property. He said that he pays close attention to adjacent property owners during public hearings. In this case, this particular property is not a good fit for an under thirty-day rental because it will change the character of the neighborhood and the harmony of the community. He will not support this application, but he does support the Hoge's right to continue to rent their property out for thirty days and more because that is the law. He does believe we need to revisit the Zoning Ordinance for residential areas to try to make some smart solutions.

Upon motion by Steve Bowman, second by Marie Durrer and unanimous vote, the Board voted to deny SUP #21-005. (See Attachment "D")

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

The Board took a five-minute recess.

RE: RESOLUTION OF INTENT TO AMEND THE GREENE COUNTY ZONING ORDINANCE REGARDING PARKING REQUIREMENTS FOR SENIOR RESIDENTIAL COMMUNITIES – JIM FRYDL, DIRECTOR OF PLANNING AND ZONING

Mr. Frydl explained that the Greene County Zoning Ordinance requires a minimum of 1.5 parking spaces per senior residential unit. This parking requirement is only mentioned in Article 6A which is the Senior Residential, SR zoning district. The general Minimum Off-Street Parking requirements listed in Article 16-8 do not include any specific mention of Senior Restricted parking. Staff would like review, with the intent to update, Article 16-8 to include the parking standards for senior restricted parking spaces that are located outside of the SR zoning district. Any recommended changes would be reviewed during advertised hearings at both the Planning Commission and Board of Supervisors. This resolution provides staff the authority to begin the public process with the Planning Commission.

Upon motion by Steve Bowman, second by Marie Durrer and unanimous vote, the Board voted to approve the resolution of intent to amend the Zoning Ordinance. (See Attachment "E")

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: UPDATE ON BROADBAND GRANT OPPORTUNITIES

Mr. Frydl explained that the Board of Supervisors has an approved MOU with Firefly for a feasibility study for Broadband. The current proposed coverage area is roughly from Quinque west. There has been some updated talk that they could cover all the households in the community with the help of an approved Virginia Telecommunications Initiative (VATI) Grant.

The Board had previously approved Fiberlync to apply for a Department of Commerce Grant for a particular area that is unserved in Greene Landing off of Wilhoits Mill. There is a resolution of support to go along with this grant. They have also asked about the possibility of applying for a VATI Grant for a larger coverage around that same area.

The Greene County Broadband Committee is reviewing an application to cover all unserved homes in Greene County. The application is currently in the discovery and planning stages and is due by July 27, 2021.

Mr. Herring said that for the Firefly option, the Thomas Jefferson Planning District Commission has agreed to administer the grant for CVEC meaning that they will process one application for all of the localities. Shentel Beam Technology, which the Board approved the tower for, now has service up and running. Another provider is interested and has requested additional information. Mr. Frydl said the Beam Technology is also looking into another tower on Carpenter Mill Road which would cover a four-mile radius around it.

Upon motion by Dale Herring, second from Ms. Durrer and unanimous vote, the Board voted to approve the resolution of support for the broadband grant applications. (See Attachment "F")

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: BOARD LIAISON REPORTS

Mr. Herring said that Thomas Jefferson Planning District Commission has started their search for a new director. They are doing an independent search and also going through an RFP process for an agency so as to not lose time if their search is not fruitful.

Mr. Martin thanked the Stanardsville 4th of July Committee for an excellent celebration. It made the community very proud.

RE: COUNTY ADMINISTRATOR UPDATE

Mr. Taylor gave an update on the future of Greene County's water and sewer. The Circuit Court Judge Claude V. Worrell has ruled that the facility fees charged were not an impermissible tax. RSA's Plea in Bar has been denied. The facility fee was discontinued by RSA on July 16, 2020. The facility fee would generate approximately \$3,500 per day or approximately \$100,000 per month in revenue. This loss impacted Greene County's capacity to make debt service payments on the borrowing we already have out on water infrastructure for our community. Mr. Taylor recapped what has already been agreed between the RSA partners about the departure of Greene County. Mr. Taylor showed a map of the RSA water system in Greene County and a listing of the inventory they own that will come to us when we become the service provider. He also showed the map of the sewer system within Greene County, as well as the inventory list to go along with that part of the service. Mr. Taylor said he has been in contact with the Department of Environmental Quality on the sewer side and the Virginia Department of Health on the water side concerning the transfer of those permits from RSA to Greene County. He said that we expect that all RSA assets, including the administration building on Route 33, will be transferred to Greene County. Mr. Taylor said that Greene County is entitled to receive Greene County's proportional share of the RSA cash reserves according to the customer base. According to RSA's figures, the portion of their debt that is allocable to Greene County is \$154,962. That is a huge fact and a small number because Greene County has already assumed, years ago, all of RSA's debt for improvements in our community besides this amount. We will need to satisfy Virginia Resource Authority that we will pay this debt by writing them a check and asking them to hold it until it is due or make some other arrangements with them. Greene County's proportionate share of RSA's cash reserve is \$2,618,780. Our facility fee losses, through September 30, 2021, total \$1,780,500. We expect that RSA would also pay that in order to make us whole after the damage they did by suspending the facility fee. Upon Greene County's withdrawal from RSA, we expect to receive \$4,399,280. Otherwise in the process, we are accepting proposals seeking a contract operator for the operation and maintenance of water and wastewater facilities in Greene County. We are planning to set up a county department with a separate enterprise fund, which means it will be a separate accounting unit within our local government. We had hoped for a more amicable dialogue regarding our withdrawal in which we could transfer water and sewer plant operators to our employment, but at this point, we are seeking a contract operator that can do this work for us. Mr. Taylor has also discussed, with Davenport, the future of our rates and we fully expect that Greene County Water and Sewer will be able to operate at the same rates that Greene County customers have been paying to RSA. Stantec will be coming before the Board on August 10, 2021 to share the findings of their rate study.

Mr. Lamb and Mr. Bowman thanked Mr. Taylor and Mr. Martin for carrying the Board's message regarding these issues. Mr. Martin also said that our Attorneys have been wonderful to work with. Mr. Taylor said that the Board's unity and leadership has been remarkable.

RE: OTHER ITEMS FROM BOARD MEMBERS

Mr. Bowman has asked that we revisit the EMS incident that was talked about earlier. He said the one of the problematic issues was the communication between the paramedics and the hospital. He would like the County Administrator to write a letter to UVA and Martha Jefferson about the need for better voice, data and video communications between an EMS provider in the field and the hospitals.

RE: ADJOURN

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

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.



William Bryan Martin, Chair
Greene County Board of Supervisors



Mark B. Taylor, Clerk
Greene County Board of Supervisors

The Greene County Board of Supervisors acknowledge that the EMS incident at the Market on July 6 at 4:50 pm was unusual and required the use of good judgement. When Ms. Meador and Mr. Anderegg exhausted all transportation options – Greene County, Madison County, Orange County, Albemarle County, and Pegasus air and ground units – they put the patient's care first and transported the patient in Ms. Meador's command vehicle part way to the hospital with Mr. Anderegg maintaining patient care. The patient was transferred to a Greene County ambulance returning from the hospital who then completed the transport to the hospital. The Board of Supervisors strongly support the decision made, even though a technical violation of State Office of Emergency Medical Services regulations occurred, because it was in the best interest of the patient at the time.

TO EDUCATE GREENE COUNTY RESIDENTS AND THE MEDICAL COMMUNITY ON THE RISKS OF TRAVELING TO CHINA FOR ORGAN TRANSPLANT IN LIGHT OF RECENT REPORTS OF STATE-SPONSORED ORGAN HARVESTING FROM PRISONERS OF CONSCIENCE

WHEREAS, extensive and credible reports have revealed mass killing of prisoners of conscience in the People's Republic of China, primarily practitioners of the Chinese spiritual practice of Falun Gong, but also other religious and ethnic minority groups, in order to obtain organs for transplants; and

WHEREAS, The China Tribunal, an independent tribunal sitting in London chaired by Sir Geoffrey Nice, who was a prosecutor at the international criminal tribunal for the former Yugoslavia, concluded on June 18, 2019, in a unanimous determination at the end of its year-long hearings, that the killing of detainees in China for organ transplants is continuing and victims include imprisoned followers of the Falun Gong movement; and

WHEREAS, the 2017 Freedom House report, "The Battle for China's Spirit," states that "available evidence suggests that forced extraction of organs from Falun Gong detainees for sale in transplant operations has occurred on a large scale and may be continuing"; and

WHEREAS, an investigative report published in June 2016 by human rights attorney David Matas, former Canadian Secretary of State for Asia-Pacific, David Kilgour, and journalist Ethan Gutmann, estimated that China is performing transplants at a rate amounting to "an industrial- scale, state-directed organ transplantation system, controlled through national policies and funding, and implicating both the military and civilian healthcare systems"; and

WHEREAS, Falun Gong, a spiritual practice involving meditative "qigong" exercises and centered on the values of truthfulness, compassion, and forbearance, became immensely popular in China in the late 1990s with multiple estimates placing the number of practitioners at upwards of seventy million (70,000,000); and

WHEREAS, in July 1999, the Chinese Communist Party launched an intensive, nationwide persecution designed to eradicate the spiritual practice of Falun Gong. Hundreds of thousands of Falun Gong practitioners have been detained extralegally in Chinese reeducation-through-labor camps, detention centers, and prisons, where physical and mental torture is common.

WHEREAS, in June 2016, the United States House of Representatives unanimously passed House Resolution 343, condemning the systemic, state-sanctioned organ harvesting from practitioners of Falun Gong and other prisoners of conscience; and

WHEREAS, there has been little media coverage of this problem yet dozens of Greene County citizens petitioned the Greene County Board of Supervisors to take up this matter, and

WHEREAS, Greene County residents should be fully informed of the organ source in China before they make the decision to engage in organ transplant tourism in China and the Greene County Board of Supervisors should assist in raising awareness in this regard;

NOW THEREFORE, BE IT RESOLVED BY the Greene County Board of Supervisors, that it condemns, in the strongest possible terms, the persecution of Falun Gong and the state-sponsored organ harvesting of all prisoners of conscience currently being carried out by the Chinese Communist regime; and

BE IT FURTHER RESOLVED that we urge the United States government, to thoroughly investigate organ transplant practices in China and take all reasonable steps to end the practice of nonconsensual organ harvesting from Falun Gong practitioners; and

BE IT FURTHER RESOLVED that the residents and the medical community servicing Greene County and the immediate region be informed about the risks of travel to China for organ transplants to help prevent local citizens from becoming accomplices in state-sponsored forced organ harvesting from prisoners of conscience; and

BE IT FURTHER RESOLVED that copies of this resolution shall be provided to the Governor of Virginia, Virginia's General Assembly, Virginia's congressional delegation and two U.S. Senators, and the Virginia Department of Health.

ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON JULY 13, 2021.

Motion: Dale Herring

Second: Steve Bowman

Votes:

Bowman: Yes

Durrer: Yes

Herring: Yes

Lamb Yes

Martin Yes



William Bryan Martin, Chair
Greene County Board of Supervisors

ATTEST: 

Mark B. Taylor, Clerk
Greene County Board of Supervisors

O-2021-006

AN ORDINANCE TO REZONE A 5.43 ACRE PARCEL ON TMP#38-(A)-72, OWNED BY ELKAY PARTNERS, LLC FROM B-2 (BUSINESS GENERAL) TO B-3 (BUSINESS HIGHWAY & HIGH INTENSITY).

WHEREAS, Elkay Partners, LLC, submitted a request (RZ#21-002) to the Greene County Board of Supervisors to rezone a 5.43-acre parcel from B-2 (Business General) to B-3 (Business Highway & High Intensity).

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 Planning Commission advertised and held a public hearing on the proposed rezoning on, June 16, 2021, and all of those who spoke on this topic were heard; and

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

WHEREAS, public necessity, convenience, general welfare, and/or 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 July 1, 2021, and July 8, 2021 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 July 13, 2021, the Greene County Board of Supervisors held a public hearing on this matter and all of those who spoke on this topic were heard.

NOW, THEREFORE, BE IT ORDAINED, that the Greene County Board of Supervisors hereby approves Ordinance O-2021-006 to rezone a 5.43-acre parcel on TMP#38-(A)-72, owned Elkay Partners, LLC from B-2 (Business General) to B-3 (Business Highway & High Intensity).

ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON JULY 13, 2021.

Motion: Marie Durrer

Second: Dale Herring

Votes:

Martin: Yes

Lamb: Yes

Bowman: Yes

Durrer: Yes

Herring: Yes



William Bryan Martin, Chair
Greene County Board of Supervisors

ATTEST: 

Mark B. Taylor, Clerk
Greene County Board of Supervisors

AN ORDINANCE (O-2020-015) GRANTING A SPECIAL USE PERMIT (SUP #21-005) TO GREENE MOUNTAIN LAKE ABNB, LLC/ LUCAS AND CAITLIN HOGE REQUESTS A SPECIAL USE PERMIT FOR TOURIST LODGING AS LISTED IN ARTICLE 5-1-2.4 IN THE GREENE COUNTY ZONING ORDINANCE ON APPROXIMATELY 0.62 OF AN ACRE, ZONED R-1, RESIDENTIAL. LOCATED IN GREENE MOUNTAIN LAKES SUBDIVISION AT 242 WESTWOOD ROAD, STANARDSVILLE. IDENTIFIED ON COUNTY TAX MAPS AS 37C-(3)-88. THE GREENE COUNTY COMPREHENSIVE PLAN, FUTURE LAND USE MAP DESIGNATES THIS PARCEL AS "RURAL AREA". (SUP#21-005)

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, on June 16, 2021, the Greene County Planning Commission held a public hearing on this matter and all of those who spoke on this topic were heard; and

WHEREAS, on June 16, 2021, the Greene County Planning Commission voted 4-1 to recommend to the Board of Supervisors denial of the request to grant the Special Use Permit (SUP); 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 July 1, 2021, and July 8, 2021; and

WHEREAS, the full application was available for public inspection in the Greene County Administration Building, Room 226, 40 Celt Road, Stanardsville, Virginia 22973; and

WHEREAS, on July 13, 2021, the Greene County Board of Supervisors held a public hearing on this matter and all of those who spoke on this topic were heard.

NOW, THEREFORE, BE IT ORDAINED by the Greene County Board of Supervisors, in accordance with Article 16-2 of the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice, that the SUP request is hereby denied subject to the following conditions:

ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON JULY 13, 2021.

Motion: Steve Bowman

Second: Marie Durrer

Votes:

Martin: Yes

Lamb: Yes

Bowman: Yes

Durrer: Yes

Herring: Yes

William Bryan Martin
William Bryan Martin, Chair
Greene County Board of Supervisors

ATTEST:

Mark B. Taylor
Mark B. Taylor, Clerk
Greene County Board of Supervisors

RESOLUTION OF INTENT TO AMEND ZONING ORDINANCE

WHEREAS, the Greene County Zoning Ordinance may from time to time be amended, supplemented, changed, modified or repealed by the governing body pursuant to Section 15.2-2285 of the Code of Virginia.

WHEREAS, this resolution is to amend various sections of the text of the Zoning Ordinance, which are listed below, for purposes of correction, modification, and elaboration of general regulations. Amendments are proposed for clarification of intent, the addition of definitions, and correction of inconsistencies.

- Article 16-8, Minimum Off-Street Parking for minimum for Senior Housing

WHEREAS, it is desired to amend the Greene County Zoning Ordinance to comply with the Virginia Code in order to promote the efficient and effective administration of the County's Zoning regulations.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare, and good Zoning practices, the BOARD OF SUPERVISORS hereby adopts a resolution of intent to amend appropriate sections of the Greene County Zoning Ordinance to achieve the purposes described herein; and

BE IT FURTHER RESOLVED THAT the Planning Commission shall hold a public hearing on the zoning text amendment proposed by this resolution of intent, and make its recommendation to the Board of Supervisors, at the earliest possible date.

BE IT FURTHER RESOLVED THAT the Board of Supervisors (1) finds that these amendments are in furtherance of the public necessity, convenience, general welfare, and good zoning practice, (2) directs staff to prepare draft amendments for consideration, and (3) directs that the proposed amendments on these matters be brought forward for notice, hearing, Planning Commission recommendation, and Board of Supervisors' action.

Adopted in Open Meeting this 13th day of July, 2021



William Bryan Martin, Chairman
Greene County Board of Supervisors

RESOLUTION OF SUPPORT FOR BROADBAND GRANT APPLICATION

WHEREAS, the Greene County Board of Supervisors recognizes the need for quality internet access and the benefits to the families and businesses in Greene County; and

WHEREAS, the Greene County Broadband Committee is always seeking providers who are willing to provide coverage to underserved areas; and

WHEREAS, Fiberlync is submitting an application for the **National Telecommunications and Information Administration (NTIA), Department of Commerce Grant** to provide broadband access to hundreds of homes in the northeast portion of Greene; and

WHEREAS, this area in Greene is currently unserved by broadband carriers impacting the ability of Greene County residents to participate in remote work, school and communication; and

NOW, THEREFORE, BE IT RESOLVED that the Greene County Board of Supervisors supports Fiberlync’s application for the **National Telecommunications and Information Administration (NTIA), Department of Commerce Grant** in order to provide broadband options for the homes in Greene County.

APPROVED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON JULY 13, 2021


William Martin, Chairman
Greene County Board of Supervisors

ATTEST:

Mark Taylor, Clerk
Greene County Board of Supervisors

Recorded Vote:
Steve Bowman Yes

Marie Durrer Yes

Dale Herring Yes

Davis Lamb Yes

William Martin Yes