

May 24, 2022

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, MAY 24, 2022, BEGINNING AT 5:30 P.M. IN PERSON IN THE COUNTY ADMINISTRATION BUILDING MEETING ROOM AND BY ZOOM VIDEO COMMUNICATION

Present were: Marie Durrer, Chair  
Dale Herring, Vice Chair  
Steve Bowman, Member  
Abbey Heflin, 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  
Justin Bullock, Director of Parks & Recreation

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):

- 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 RSA and the Rivanna River Basin Commission.
- 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 litigation.

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 aforestated matters in Closed Meeting.

Upon motion by Davis Lamb, second by Dale Herring 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 Dale Herring, second by Davis Lamb 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 |

RE: APPOINTMENT OF ALEXANDER RICO VIDALES TO THE RIVANNA RIVER BASIN COMMISSION

Upon motion by Dale Herring, second by Marie Durrer and unanimous roll call vote, the Board appointed Alexander Rico Vidales to the Rivanna River Basin Commission for a four-year term which will expire on June 1, 2026.

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|----------------|--------------|---|-----|
| Recorded vote: | Marie Durrer | - | Yes |
|                | Dale Herring | - | Yes |
|                | Steve Bowman | - | Yes |

|              |   |     |
|--------------|---|-----|
| Abbey Heflin | - | Yes |
| Davis Lamb   | - | Yes |

Motion carried.

RE: REAPPOINTMENT OF STEVE BOWMAN TO THE RAPIDAN SERVICE AUTHORITY

Upon motion by Abbey Heflin, second by Dale Herring and unanimous roll call vote, the Board reappointed Steve Bowman to the Rapidan Service Authority Board for a four-year term which will commence on June 24, 2022 and expire on June 23, 2026 unless we are otherwise removed from the Rapidan Service Authority.

|                |              |   |           |
|----------------|--------------|---|-----------|
| Recorded vote: | Marie Durrer | - | Yes       |
|                | Dale Herring | - | Yes       |
|                | Steve Bowman | - | Abstained |
|                | 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 Abbey Heflin and unanimous roll call vote, the Board approved the agenda as presented.

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

Motion carried.

RE: UPDATE ON DISCUSSION OF PERSONAL PROPERTY TAX

Mr. Taylor shared a brief update with the Board regarding the ongoing discussion of the personal property taxes. He said that a meeting was held at Ms. Durrer's home that he, Treasurer, Stephanie Deal and Commissioner of Revenue, Kim Tate attended to discuss possible options regarding personal property tax for this year. He said that Treasurer Deal said that the property tax book was delivered to the Treasurer by the Commissioner, so the opportunity to change the tax rate has passed. There was discussion saying that, if a surplus was found after the books were closed on the present fiscal year on June 30, 2022 or June 30, 2023, the issuance of a refund could be considered by the Board. There was also hypothetical discussion of the process costs that would be involved in issuing any sort of abatement or adjustment on the tax billing. There is no

immediate action that can be taken, but staff continues to look for options if there were to be a surplus. Ms. Durrer concurred that that was the discussion that took place. Ms. Heflin asked if the defined dollar amount given by Tracy Morris to be used for the budget was accompanied by actual amounts. Mr. Taylor explained that the Board adopted, as per State Code, a balanced budget with the proposed, projected revenues that are provided by the Commissioner of Revenue and balanced or offset by proposed expenditures by the various functions of our local government. Until the end of the fiscal year, we won't know what the actual revenues will be. Ms. Heflin said that we are getting an extra \$4.5 million dollars more this year than we did last year. She said that it's safe to say, based on the numbers that we used, we will have an excess. Mr. Herring clarified with Mr. Taylor that what he is saying is that we would have to wait until this fiscal year is closed out, which is usually by October, to see how the year finishes. He said that the personal property for this fiscal year is not what's creating the issue. The issue is the personal property for the upcoming fiscal year. He asked Ms. Deal if, when this fiscal year is closed out, it would include the revenue that is collected in the June tax collection. Ms. Deal said that it would. Mr. Herring said that we will know a portion of the excess once the current fiscal year is closed out. Ms. Deal said that is correct. She explained that any taxes taken July 1<sup>st</sup> through December 31<sup>st</sup> would be captured in fiscal year 2023. Ms. Deal said that she has found out that the General Assembly has passed legislation to allow this surplus rebate or refund but it takes effect July 1<sup>st</sup>, so nothing can be done until after that. Mr. Herring said that he appreciates everything that Ms. Deal and Ms. Tate are doing to find a solution. Ms. Heflin said that the explanation was helpful. She said that she is so disappointed in this budget process. She said that a \$4.5 million dollar surplus should've sent up red flags and she is upset that it didn't. Mr. Lamb asked Ms. Deal when the valuations were upgraded for vehicles. Ms. Deal said that the Commissioner of Revenue uses the NADA guide, which comes out on January 1<sup>st</sup>. She explained that the data is uploaded electronically into our system some time in February. He said that he feels like it was a slow process and that we were so far behind. Ms. Deal said that Ms. Tate is planning to work on the calendar and move the process up a bit so that the Board can have better data earlier. Ms. Heflin asked what is the earliest time that we will be able to see what the surplus will be. She said that she is very concerned because the vehicle values will go back down and we have already spent the money. Mr. Herring said that, the way he understands it, we have budgeted for a certain amount based on previous projections and what we're finding out is that the values are much higher, therefore the revenue coming in will be greater than what was budgeted. The amount that the Board was given at the April 26<sup>th</sup> meeting was different than the amount that was given at that same meeting by Mr. Snow. Ms. Heflin said that we budgeted to hire employees and provide services that we won't be able to continue in the following year. Mr. Herring said that was not based on the increase in revenue. Ms. Heflin said that she wants to know why we have a surplus of \$4.5 million dollars coming in from local sources. She said that is still an extreme increase in revenue. She said that it is possible that we won't have this money in the following years. She said that she went back through all of her emails from Commissioner Snow and other emails that were forwarded to the Board and they are the same numbers that he stated that night. She said that she went back and listened to the video from that meeting and the numbers are the same, so she's not sure where the notion that we did not have accurate information is coming from, and she is very upset about this. The Board had

further discussion about addressing some of these concerns during their talks of how to better our budget process.

Ms. Durrer thanked Ms. Tate and Ms. Deal for their hard work. She said that the Board cannot do something that is not legal, so she asked for patience while we figure this out.

RE: MATTERS FROM THE PUBLIC

Mr. Hugh Davis was present to say that the County needs to do something for their elderly and disabled to give them a tax break on their real estate.

Ms. Rebecca Snow was present to share her displeasure with her personal property tax bill.

Mr. Michael Allers was present to inquire why we only relied on one source for vehicle values. He said that it's getting too expensive to live here. He said that we all know that the vehicle and home values are not going to stay where they're at, so this will create a boom for the County coffers at the expense of the taxpayers.

Mr. Ted Rieck, JAUNT CEO, was present to thank the Board for preparing the MOU. He shared some changes that he would like to see.

Mr. Don Pamenter was present to share his support for the request by the Town of Stanardsville for a contribution of ARPA funds towards the Stanardsville Revitalization Project.

Mr. Doug Roberts was present to ask the Board to have open discussion about agenda item 9. c. Approval of Contract for General Reassessment. He does not feel that this is the right time to discuss reassessing homes.

Ms. Paige Roberts was present to share that her husband had sent the Board an email regarding the budget two weeks ago that asked the Board to investigate what measures could be taken to provide relief to County residents for their car tax payments. She said that this county takes painstaking efforts to care for its employees but not for its residents. She also said that current administration does not provide the same detail of budget that past administrators did. She also said that she would like the Board to openly discuss the \$123,000 contract for reassessment.

Ms. Donna Baker, Director of Operations at JABA, was present to thank the Board for the Proclamation they had passed designating May as Older Americans Month. She shared stories of seniors in our community.

Mr. Steven Kortpeter was present to share that he has to work a part-time job because of his personal property tax bill. He shared his displeasure with Board members and staff for not trying harder to find a way to give relief for this tax year. He said that he feels that this is being done maliciously and in complete disregard for the citizens of this county.

Mr. Greg Pumphrey was present to share his displeasure with the personal property tax. He said that Greene's is one of the highest in the state. He said we have zero services and our taxes are going up. He feels that personal property tax is immoral.

Mr. Mike Kilpatrick was present via Zoom to share that the County should look into the land use process and should make sure that properties that are in land use should really be there. He feels that we could be leaving a lot of potential money on the table with these tax breaks.

Ms. Gwen Baker was present via Zoom to share her concerns over the approval of the contract for the general reassessment. She asked to Board to defer this discussion and hold a public hearing on the issue. She also said that we should not be reassessing properties when we are in a recession. Lastly, she pointed out the there should be footer on the Tourism Bylaws showing the version history and date.

Mr. Donald Renn was present to share his displeasure with the rules of tax relief for disabled veterans. He said that veterans should not be treated like this.

RE: CONSENT AGENDA

Upon motion by Davis Lamb, second by Abbey Heflin and unanimous roll call vote, the Board approved the consent agenda items a. and b. and pulled item c. out for separate discussion.

- a. Minutes of previous meeting
- b. Resolution requesting that VDOT make improvements to Simmons Gap Road (See Attachment "A")

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

Motion carried.

- c. Approval of Contract for General Reassessment

Mr. Taylor explained that this contract is not for a full-blown reassessment. It is for a table-top reassessment as we have had the past two cycles. It is what can be done in the time permitted for the January 1, 2023 due date. The reassessment cycle in Greene County is established by ordinance in that we reassess every two years. The discussion has been for the assessment for the next cycle that would be due January 1, 2025 to be a full-blown reassessment. He said that this is cyclic and routine. The table top exercise will use sales data to adjust values. Mr. Herring clarified with Mr. Taylor that the Board has the option to equalize the tax rate once the reassessment information is given. Mr. Taylor said that is correct. Mr. Herring said that, for example, if the values go up 10 percent, the Board could equalize that by dropping the tax rate in that amount. That conversation would take place during the reassessment cycle. Mr. Taylor said that is right. Ms. Heflin clarified the dates that the reassessment would be due and the last time we reassessed. She shared State Code that says we could choose to conduct reassessments at 5 or 6-year intervals

and she votes that we do that. She said that she thinks it's crazy to think about reassessing right now while we're facing the personal property tax issue. Mr. Bowman said that the question is, do we want to change our ordinance and what would it take to make it happen. Ms. Kemp said that she would have to draft it and then there would be a public hearing and a vote. Mr. Herring asked when the reassessment would take place if we changed it. Ms. Kemp said that she believes the date would start when the last reassessment was done. Mr. Herring asked if we would have to do a full reassessment every 5 or 6 years rather than just a tabletop every 2 years. Ms. Kemp said that the Code does not specify, but that she would research it.

Upon motion by Steve Bowman, second by Abbey Heflin and unanimous roll call vote, this item is tabled until the County Administrator and the County Attorney can research the options before a decision is made.

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

Motion carried.

RE: PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE TO ALLOW THE BOARD OF SUPERVISORS TO ASSESS A FEE TO REIMBURSE EXPENSES INCURRED IN RESPONDING TO DRIVING UNDER THE INFLUENCE INCIDENTS PURSUANT TO VIRGINIA CODE §15.2-1716

Ms. Kemp said that this request for ordinance revision was brought forward by Commonwealth's Attorney Consolvo. This amendment would allow Mr. Consolvo to assess a fee of up to \$350 in reasonable expenses for DUI convictions. DUI arrests take more time and resources than a routine traffic stop.

Mr. Bowman asked if the money would be designated for a specific purpose. She said that feels the idea is that it would go back into emergency services. Ms. Kemp said that the Commonwealth's Attorney would like to see it go to the Sheriff's Office or to the schools for education. Sheriff Smith was present and said that, from his understanding, it is not earmarked for anything in particular and that it would go back into the general fund. He said that the Board would have to make sure it goes where they want it to. Mr. Bowman said that he would like to be able to keep track of what revenue comes in from this particular source so that the Board could decide how it should be allocated. Mr. Lamb asked if the money could be put into a restricted fund. Ms. Kemp said that is certainly possible. Mr. Taylor said it could be tracked as a separate item of revenue and then the Board could use their discretion as to how to use it. Ms. Heflin recommended that the ordinance state that it should go to the departments that are affected by the actions. Mr. Bowman said that whole public safety arena responds to these incidents, so he would want the revenue to be spread out evenly. Ms. Kemp said that Mr. Consolvo's office should be included in the disbursement of the revenues. Ms. Kemp said that these items are not usually listed in the ordinance and that they could be taken care of administratively. This fee would start tomorrow, if it is passed.

The public hearing was opened and closed with no public comment.

Upon motion by Steve Bowman, second by Dale Herring and unanimous roll call vote, the Board approved the ordinance resolution as presented. (See Attachment “B”)

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

Motion carried.

RE: PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE TO ALLOW THE BOARD OF SUPERVISORS TO ASSESS A FEE OF \$25.00 IN EACH CRIMINAL CASE WHERE AN INDIVIDUAL IS PROCESSED INTO JAIL PURSUANT TO VIRGINIA CODE §15.2-1613.1

Ms. Kemp said that this ordinance revision was brought forward by the General District Court Clerk. It would allow an additional \$25 fee to be assessed when a defendant is convicted of a crime and processed into a local or regional jail. The fee is meant to defray the cost of transporting prisoners, fingerprinting, administrative paperwork, etc. She said that this could also go into the special fund that was mentioned in the prior public hearing.

The public hearing was opened and closed with no public comment.

Upon motion by Steve Bowman, second by Dale Herring and unanimous roll call vote, the Board approved the ordinance resolution as presented. (See Attachment “C”)

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

Motion carried.

RE: PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AMENDING GREENE COUNTY CODE SECTION 14-61 DOGS RUNNING AT LARGE TO UPDATE THE PENALTY TO MATCH VIRGINIA CODE §3.2-6534

Ms. Kemp said that this item is just a housekeeping issue to make the County Code section match the Virginia State Code. Mr. Herring clarified that this is not changing the definitions, it is just lining it up to match the State Code.

Upon motion by Steve Bowman, second by Dale Herring and unanimous roll call vote, the Board approved the ordinance resolution as presented.

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

Motion carried.

RE: RESOLUTION AUTHORIZING AN INCREASE IN SOLID WASTE FEES CHARGED

Mr. Taylor explained that the rate increases being proposed will keep Greene competitive with its neighbors and will allow us to maintain our facility, replace heavy equipment and maintain the operation as an enterprise.

Mr. Lamb asked if the increased fees would stop people from outside of our locality from bringing their trash here. Mr. Taylor said that we do receive a lot of waste imported because we are the most affordable option.

Ms. Heflin asked why we don't have a sticker to only allow our own residents. Mr. Taylor said the objective is to run solid waste transfer as an enterprise that brings in sufficient revenue to cover its operating costs. He said his concern would be that, if the volume were to drop, we would need to supplement the operation from the general fund because we are small. Ms. Heflin suggested we have people from outside of our locality buy stickers so that we do not increase the burden on our own taxpayers.

Upon motion by Dale Herring, second by Steve Bowman and unanimous roll call vote, the Board adopted the resolution authorizing the rate increase in solid waste fees effective July 1, 2022 as proposed. (See Attachment "D")

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

Motion carried.

RE: APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH JAUNT

Mr. Taylor asked the Board for their input on the draft MOU with JAUNT. He said that he and Mr. Rieck will meet to address the points of the MOU and, along with Board comment, he will bring a finalized version forward for Board approval.

Mr. Bowman said that he attended the latest JAUNT board meeting. He said that he believes we should set criteria for what we feel is satisfactory regarding JAUNT's performance. He said we should add dates that we expect actions by and that we should add a percentage as to

how much we would like JAUNT to increase ridership over the fiscal year. He would like these elements negotiated and added to the MOU.

Mr. Herring said that he feels the MOU should not specifically name the current liaison. He said that we need to be fair to JAUNT when coming up with acceptable dates as to when services are in place. He feels that if there is progress being made, that should be acceptable.

Ms. Heflin said she would prefer to see the numbers of ridership increasing and good tracking of the progress. She is worried that JAUNT will get so bogged down trying to implement these changes, that they will not be able to focus on the service they are providing.

Mr. Herring said that he has seen a concentrated effort to develop a better relationship between the county and JAUNT.

Mr. Lamb asked how to contact JAUNT. He wondered if it was still the same number as Greene Transit. He asked that JAUNT advertise their contact information. Ms. Heflin suggested we post the information on our website.

Ms. Heflin asked that the dates for reports be pushed up so that the final report is not given right before the Board has to make a decision on future funding.

This item will be before the Board at their next meeting for a vote.

RE: APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH RANGELAND ARCHERY

Mr. Taylor said that this item was discussed at length at the last board meeting. Mr. Bullock said that updates have been made based on feedback from the Board at that meeting.

Mr. Bowman said that all of his questions and concerns have been addressed.

Ms. Durrer said that she still does not feel that the park is the correct place for archery, so she will not support this MOU due to safety concerns. Ms. Heflin asked if this can be stopped if issues arise. Mr. Taylor said yes. Mr. Bowman said that he also had safety concerns, but all were addressed and he feels comfortable with this program.

Upon motion by Steve Bowman, second by Davis Lamb and affirmative roll call vote, the Board approved the MOU with Rangeland Archery as presented. (See Attachment "E")

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| Recorded vote: | Marie Durrer | - | No  |
|                | Dale Herring | - | Yes |
|                | Steve Bowman | - | Yes |
|                | Abbey Heflin | - | Yes |
|                | Davis Lamb   | - | Yes |

Motion carried.

RE: APPROVAL OF TOURISM BYLAWS

This item was deferred.

RE: ARPA FUNDING REQUEST FOR THE PURCHASE OF AN AMBULANCE

Ms. Meador said that she was present on May 10<sup>th</sup> to request the use of ARPA funding in the amount of \$400,000 for an ambulance. She requested a deferral that evening because a new opportunity had presented itself that day when a vendor reached out with a demo unit. She said that the unit was inspected on May 12<sup>th</sup> and it was determined that it was 100% suitable for Greene County EMS. The originally requested unit had a cost of \$334,880. The demo unit will cost \$285,999. The additional funding to outfit the unit was also decreased from \$65,120 to \$50,000 with the demo unit. She is hopeful to obtain all of the radio equipment with a grant. The graphics were already included in the price quote from the vendor. The time frame for delivery is 120-150 days. The original was 12-18 months. The total amount requested is \$335,999.

Mr. Bowman said that he applauds Ms. Meador for finding the demo and saving the money. He is fully supportive of this.

Mr. Lamb asked technical questions about the ambulance that was inherited from the Greene County Rescue Squad. Ms. Meador said that she only has the information that she received from the Greene County Rescue Squad. She said it is not safe for use. Mr. Lamb asked if it was feasible to keep the vehicle and make repairs to it. Ms. Meador said that unit will not pass State OEMS inspection. It has a multitude of mechanical issues and its appearance is embarrassing. The Board had discussion about how important it is to keep good maintenance records on our fleet and a vehicle replacement plan. Ms. Meador said that a fleet management program is in the process of being implemented. Mr. Herring asked about the layout of the demo. Ms. Meador said that the layout of the demo does not match the layout of our current units, but the new layout is what we want for the future. They also discussed gurneys and the advancement of technology in the EMS field.

Upon motion by Steve Bowman, second by Dale Herring and unanimous roll call vote, the Board approved the use of ARPA funding in the amount of \$335,999 for the purchase of an ambulance.

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

Motion carried.

RE: ARPA FUNDING REQUEST TO HELP COVER THE COST OF STORMWATER IMPROVEMENTS PERFORMED OUTSIDE OF THE TOWN OF STANARDSVILLE FOR THE STANARDSVILLE STREETScape PROJECT

Mr. Taylor said that this request from the Town is in relation to the Streetscape project, specifically the stormwater portion of the project that reached beyond the town limit as explained in the previous meeting. The Board had discussion to determine an amount that would be appropriate to give to the Town to aid in the payment for the project. Mr. Taylor said that he recommends that the Board only give money towards the part of the project for the stormwater per ARPA guidelines. He said that the Board could decide to offer a portion now and offer more if the County were able to at a later date. Mr. Bowman said that he feels we should start with \$100,000 this evening. Ms. Heflin agrees and said that she wants to decide something tonight. Mr. Lamb and Ms. Durrer also agreed with that number.

Upon motion by Steve Bowman, second by Ms. Heflin and unanimous roll call vote, the Board agreed to give the Town of Stanardsville \$100,000 of ARPA funds to assist with the stormwater portion of the Streetscape project.

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

Motion carried.

RE: FINANCE QUARTERLY REPORT

Deferred until next meeting due to illness.

RE: WATER AND SEWER ORDINANCE

Mr. Taylor shared a draft water and sewer ordinance. This is following a unanimous vote by the RSA Board on May 19<sup>th</sup> to adopt a resolution in support of the agreed terms for Greene County's withdrawal from the RSA. Mr. Bowman thanked Ms. Durrer for her help in negotiating this agreement with the other Chairs of Madison and Orange. He said that the document that Mr. Taylor has written is the next phase of this journey. Ms. Durrer thanked Mr. Jackson from Madison County and Mr. Johnson from Orange County. Mr. Taylor said that this document calls for the creation of a county department that will operate as an enterprise fund on the county's chart of accounts. It will be a separate fund that should be revenue neutral in relation to county operations in the future. We are small, so the general fund may have to supplement in order to cover expenses in the beginning. The draft has 77 pages including rates, regulations regarding the reservoir, connections, distribution of water, treatment of wastewater, etc. Mr. Taylor said that he would bring back a presentation of the water project as a refresher for the Board and the public.

Mr. Bowman said he supports the concept of the presentation. He said this document will show that we will have the water available to bring industry to our county. He said that this ordinance is what businesses wanting to move into our county will be looking for.

Mr. Taylor said water and sewer rates are addressed in this document. Our objective is to start operations at the same rates that are in place with RSA. This ordinance shows escalating rates based on usage which will encourage water to be used thoughtfully.

RE: BOARD LIAISON REPORTS

Mr. Lamb said that the Social Services Board met and they were introduced to the new member, Chastity Hall.

Mr. Herring said the Emergency Services Advisory Board met and discussed recruitment and retention ideas such as advertisements for volunteers and a retirement benefit. This will be brought to the Board in July. They also finalized coverage from 6:00 a.m. - 6:00 p.m. Monday through Friday. He publicly thanked the volunteer fire departments for working together through these issues. He clarified that this will only be a temporary fix for this problem.

Mr. Bowman said he attended the May 19<sup>th</sup> RSA meeting. He attended the School Board meeting on the 11<sup>th</sup>, where they gave an employee bonus. He attended the Planning Commission meeting on the 18<sup>th</sup>. The agricultural meat processing facilities ordinance will be coming forward soon. He also attended the JAUNT meeting and was pleasantly surprised and impressed.

Mr. Lamb shared that VDOT sent an invitation for a virtual meeting on the 18<sup>th</sup> and it was such short notice and there were complaints, so VDOT will have another one.

RE: COUNTY ADMINISTRATOR REPORT

Ms. Kemp said that she has now sent a certified copy of the order for the Commissioner of Revenue special election to the registrar.

Mr. Taylor said that he appreciates the Board's patience with the staff as they are recovering from Covid.

RE: OTHER ITEMS FROM THE BOARD

Mr. Herring asked staff to look into an increase in TOT tax that could go towards public safety. He would like to see what an increase to \$0.06, \$0.07 and \$0.08 would look like. Other localities have done this. It may help offset future costs and needs of public safety.

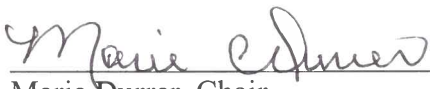
The Board discussed the land use tax that a community member brought up under matters from the public. Ms. Durrer feels that it is not being done correctly and that we are losing revenue because of it. She said that she was going to reach out to the Commissioner of Revenue and ask her to look into this process. They also discussed creating good working relationships between Constitutional Officers and County Administration.

RE: ADJOURN

Upon motion by Davis Lamb, second by Steve Bowman 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.

  
\_\_\_\_\_  
Marie Durrer, Chair  
Greene County Board of Supervisors

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

**RESOLUTION R-2022-2**

**RESOLUTION OF THE GREENE BOARD OF SUPERVISORS REQUESTING THAT  
VDOT MAKE IMPROVEMENTS TO SIMMONS GAP ROAD**

**WHEREAS**, Section 33.2-332 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

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

**WHEREAS**, the Board of Supervisors of Greene County, Virginia ("Board") desires to consider whether Route 628 Simmons Gap Road, from Route 614 to Route 601, should be designated a Rural Rustic Road; and

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

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

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

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

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

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

**Adopted by the Board of Supervisors this 24<sup>th</sup> day of May 2022.**

**Motion:** Davis Lamb

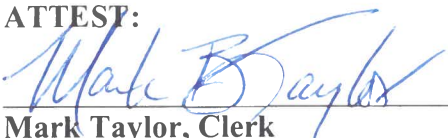
**Second:** Abbey Heflin

**Recorded Vote:**

|              |            |
|--------------|------------|
| Steve Bowman | <u>Yes</u> |
| Marie Durrer | <u>Yes</u> |
| Abbey Heflin | <u>Yes</u> |
| Dale Herring | <u>Yes</u> |
| Davis Lamb   | <u>Yes</u> |

  
\_\_\_\_\_  
**Marie Durrer, Chairman**  
**Greene County Board of Supervisors**

**ATTEST:**

  
\_\_\_\_\_  
**Mark Taylor, Clerk**  
**Greene County Board of Supervisors**

**ORDINANCE NUMBER O-2022-1**

**AN ORDINANCE AMENDING GREENE COUNTY CODE SECTION 70-31  
(ADOPTION OF STATE LAW PROVISIONS) TO ASSESS A FEE TO REIMBURSE  
EXPENSES INCURRED IN RESPONDING TO A DRIVING UNDER THE INFLUENCE  
INCIDENTS**

**WHEREAS**, Virginia Code § 46.2-1313 authorizes localities to incorporate provisions of Chapter 46.2 into local ordinances; and

**WHEREAS**, Virginia Code § 15.2-1716 authorizes any county to recover expenses incurred in responding to a person driving under the influence; and

**WHEREAS**, Greene County Ordinance Section 70-31 incorporates state traffic laws into the County Ordinances, including those laws related to driving under the influence; and

**WHEREAS**, these expenses can be related to resources expended by law enforcement, emergency medical services, and/or fire departments; and

**WHEREAS**, there is a substantial cost to the County in responding to DUI situations; and

**WHEREAS**, the Greene County Sheriff, the Commonwealth Attorney, and the Director of Emergency Management Services, support this measure, as it would help defray costs; and

**WHEREAS**, the Board of Supervisors of Greene County finds it in the best interest of the public health, safety, and welfare to authorize this fee under Virginia Code §15.2-1716.

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Supervisors of Greene County, Virginia that the Greene County Code Section 70-31 is hereby amended and enacted as follows:

**Sec. 70-31 Adoption of state law provisions**

1) Generally. Pursuant to the authority of Code of Virginia, § 46.2-1313, as amended, all of the provisions and requirements of the laws of the state contained in Code of Virginia, tit. 46.2, and Code of Virginia, § 18.2-266 et seq., as in force on July 1, 1996, and as amended or reenacted thereafter, except those provisions and requirements which by their very nature can have no application to or within the county, are hereby adopted, and incorporated in this article by reference. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways and other public ways within the county. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this article as fully as though set forth at length in this section,

and it shall be unlawful for any person, within the county, to violate or fail, neglect or refuse to comply with any provision of Code of Virginia, tit. 46.2 or Code of Virginia, § 18.2-266 et seq., which is adopted by this section, provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Code of Virginia, tit. 46.2 or Code of Virginia, § 18.2-266 et. seq.

2) **Driving under the influence.** Pursuant to the authority and provisions of the Code of Virginia, as last amended, § 46.2-1313 and all of the provisions and requirements of the laws of the Commonwealth contained in the Code of Virginia (1950), as amended, Title 18.2, Chapter 7, Article 2, as in form and effect on July 1, 2001, including any amendments to those statutes thereafter and which may be adopted in the future, is hereby adopted mutatis mutandis, in their entirety, and made part of this chapter by reference, as though fully set out at length herein, and are hereby made applicable within the County. References therein to "highways of the state" shall be deemed to refer to streets, highways, roads, alleys, and other public ways within the County. Such provisions and requirements are hereby adopted, mutatis mutandis, in their entirety, and made a part of this chapter by reference, as though fully set forth at length herein. It shall be unlawful and punishable as therein provided for any person within the County to violate, fail, neglect or refuse to comply with, any provision of the Code of Virginia which is adopted by this section; provided, however, that in no event shall the penalty imposed for the violation of this section exceed the penalty imposed for the offense under the Code of Virginia (1950), as amended.

#### **Sec. 70 – xxxx Reimbursement of expenses incurred in responding to DUI and related incidents.**

Any person convicted of violating any of the following provisions shall, at the time of sentencing or in a separate civil action, be liable to the County or to any responding volunteer fire company or department or volunteer emergency medical services agency, or both, for restitution of reasonable expenses incurred by the County for responding law enforcement, firefighting, and emergency medical services, including those incurred by the Sheriff's Office of such locality, or by any volunteer fire or volunteer emergency medical services agency, or by any combination of the foregoing, when providing an appropriate emergency response to any accident or incident related to such violation. Any person convicted of violating any of the following provisions shall, at the time of sentencing or in a separate civil action, be liable to the locality or to any responding volunteer fire or volunteer emergency medical services agency, or both, for restitution of reasonable expenses incurred by the County when issuing any related arrest warrant or summons, including the expenses incurred by the Sheriff's Office of such locality, or by any volunteer fire or volunteer emergency medical services agency, or by any combination of the foregoing:

(1) The provisions of [Code of Virginia (1950)], §§ 18.2-36.1, 18.2-51.4, 18.2-266, 18.2-266.1, 29.1-738, 29.1-738.02, or 46.2-341.24, and Greene County Code Section 70-31, when such

operation of a motor vehicle, engine, train or watercraft while so impaired is the proximate cause of the accident or incident;

(2) The provisions of Article 7 ([Code of Virginia (1950)] § 46.2-852 et seq.) of Chapter 8 of Title 46.2 relating to reckless driving, when such reckless driving is the proximate cause of the accident or incident;

(3) The provisions of Article 1 ([Code of Virginia (1950)] § 46.2-300 et seq.) of Chapter 3 of Title 46.2 relating to driving without a license or driving with a suspended or revoked license; and

(4) The provisions of [Code of Virginia (1950)] § 46.2-894 relating to improperly leaving the scene of an accident.

Persons convicted of any of the above offenses shall, at the time of sentencing, be liable to Greene County for a reimbursement of three hundred and fifty dollars (\$350.00) for “reasonable expenses” incurred by the County for responding law enforcement, firefighting, and emergency medical services, including those incurred by the Sheriff’s Office or any fire or emergency medical services, whether volunteer or paid, or any combination thereof. Reasonable expenses shall also include expenses incurred by the County for the issuance of any related arrest warrant or summons, including the expenses incurred by the Sheriff’s Office of such locality, or by any fire or emergency medical services, or by any combination thereof.

The court may order as restitution the reasonable expenses incurred by the County for responding law enforcement, firefighting, and emergency medical services.

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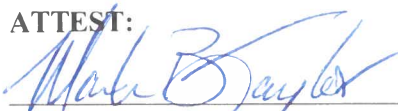
*This amendment shall take effect immediately upon passage.*

**ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON MAY 24, 2022.**



**Marie Durrer, Chairman  
Greene County Board of Supervisors**

**ATTEST:**



**Mark Taylor, Clerk  
Greene County Board of Supervisors**

**Motion:** Steve Bowman

**Second:** Dale Herring

**Recorded Vote:**

|              |            |
|--------------|------------|
| Steve Bowman | <u>Yes</u> |
| Marie Durrer | <u>Yes</u> |
| Abbey Heflin | <u>Yes</u> |
| Dale Herring | <u>Yes</u> |
| Davis Lamb   | <u>Yes</u> |

**ORDINANCE NUMBER O-2022-3**

**AN ORDINANCE ASSESSING A PROCESSING FEE IN EACH CRIMINAL CASE  
WHERE AN INDIVIDUAL IS PROCESSED INTO JAIL**

**WHEREAS**, Virginia Code § 15.2-1613.1 authorizes any county to charge a processing fee of not more than \$25 to any individual admitted to a jail following a conviction; and

**WHEREAS**, this fee can be ordered as part of court costs to defray the cost of processing individuals into a local or regional jail; and

**WHEREAS**, individuals in Greene County who are remanded to jail go to Central Virginia Regional Jail; and

**WHEREAS**, there is a cost to the County and Sheriff's Office to process individuals into the regional jail; and

**WHEREAS**, the Greene County Sheriff supports this measure, as it would help defray costs; and

**WHEREAS**, the Board of Supervisors of Greene County finds it in the best interest of the public health, safety, and welfare to authorize this fee under Virginia Code §15.2-1613.1.

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Supervisors of Greene County, Virginia:

1. A sum of \$25 shall be collected as part of the costs in each criminal or traffic case in the District Courts and Circuit Court of Greene County in which the defendant is convicted and is processed into the Central Virginia Regional Jail or other such jail.

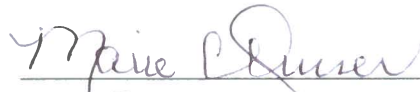
2. The sum specified in paragraph 1 shall be collected by the Clerk of the Court in which the case is heard, remitted to the Treasurer's Office, and held by the Treasurer subject to appropriation by the Board of Supervisors to the Sheriff's office to defray processing costs.

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*This amendment shall take effect immediately upon passage.*

**ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON MAY 24,  
2022.**



**Marie Durrer, Chairman**

**Greene County Board of Supervisors**

**ATTEST:**



**Mark Taylor, Clerk**

**Greene County Board of Supervisors**

**Motion:** Steve Bowman

**Second:** Dale Herring

**Recorded Vote:**

|              |            |
|--------------|------------|
| Steve Bowman | <u>Yes</u> |
| Marie Durrer | <u>Yes</u> |
| Abbey Heflin | <u>Yes</u> |
| Dale Herring | <u>Yes</u> |
| Davis Lamb   | <u>Yes</u> |

**ORDINANCE NUMBER O-2022-2**

**AN ORDINANCE AMENDING GREENE COUNTY CODE SECTION 14-61 (DOGS RUNNING AT LARGE) TO UPDATE THE PENALTY TO MATCH STATE CODE**

**WHEREAS**, Virginia Code § 3.2-6538 states that a local government may prohibit dogs from running at large, with the exception of hunting dogs; and

**WHEREAS**, the Virginia Code Section 3.2-6538 states that the locality may assess a penalty in the form of a civil fine, not to exceed \$100 per dog; and

**WHEREAS**, Greene County Ordinance Section 14-61 does prohibit dogs from running at large; and

**WHEREAS**, the current Ordinance assesses the penalty as a class 4 misdemeanor; and

**WHEREAS**, the Board of Supervisors of Greene County finds it in the best interest of citizens for the local ordinance to be in compliance with the state code.

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Supervisors of Greene County, Virginia that the Greene County Code Section 14-61 is hereby amended and enacted as follows:

**Sec. 14-61. Running at large.**

(a) It shall be unlawful for the owner of any dog to allow such dog to run at large, at any time, within the County, even though the dog is both lawfully licensed and vaccinated.

(b) For the purposes of this division, a dog shall be deemed to run at large while roaming, running or self-hunting off the property of its owner or custodian and not under the owners' or custodian's immediate control. However, a dog shall not be considered at large if, during the hunting season, it is on a bona fide hunt in the company of a licensed hunter or during field trails or training periods when accompanied by its owner.

(c) Any person who permits his dog or a dog under his control to run at large shall be deemed to have violated the provisions of this section.

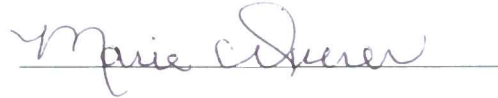
(d) Any person violating this section shall be subject to a civil penalty in an amount of \$100 per dog. Any civil penalty collected pursuant to this ordinance shall be deposited by the treasurer pursuant to the provisions of Virginia Code § 3.2-6534.

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*This amendment shall take effect immediately upon passage.*

**ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON MAY 24, 2022.**

A handwritten signature in black ink, appearing to read "Marie Durrer", written over a horizontal line.

**Marie Durrer, Chairman  
Greene County Board of Supervisors**

**ATTEST:**

A handwritten signature in blue ink, appearing to read "Mark Taylor", written over a horizontal line.

**Mark Taylor, Clerk  
Greene County Board of Supervisors**

**Motion:** Steve Bowman

**Second:** Dale Herring

**Recorded Vote:**

|              |            |
|--------------|------------|
| Steve Bowman | <u>Yes</u> |
| Marie Durrer | <u>Yes</u> |
| Abbey Heflin | <u>Yes</u> |
| Dale Herring | <u>Yes</u> |
| Davis Lamb   | <u>Yes</u> |

**RESOLUTION R-2022-1**

**A RESOLUTION OF THE GREENE BOARD OF SUPERVISORS TO  
APPROVE AN INCREASE TO THE SOLID WASTE FACILITY TIPPING  
FEES EFFECTIVE JULY 1, 2022**

**WHEREAS**, Greene County Ordinance 58-21 establishes a solid waste transfer station and establishes a fee for using said transfer station; and

**WHEREAS**, the fees to use said facility are known as “tipping fees” and are set by the Board of Supervisors; and

**WHEREAS**, after analyzing the current rate structure and comparing Greene County’s fees with surrounding counties, it has been determined that the tipping fees need to be increased; and

**WHEREAS**, Greene County researched the usage and financial data from the solid waste facility in order to calculate an increased fee.

**NOW THEREFORE BE IT RESOLVED** that the Greene County Board of Supervisors hereby approves an increase in the solid waste fees as presented in Attachment A effective July 1, 2022.

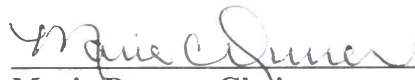
**Adopted this 24<sup>th</sup> day of May 2022.**

**Motion:** Dale Herring

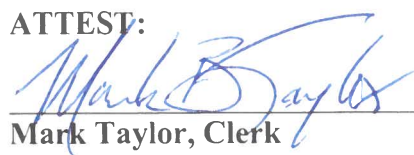
**Second:** Steve Bowman

**Recorded Vote:**

|              |            |
|--------------|------------|
| Steve Bowman | <u>Yes</u> |
| Marie Durrer | <u>Yes</u> |
| Abbey Heflin | <u>Yes</u> |
| Dale Herring | <u>Yes</u> |
| Davis Lamb   | <u>Yes</u> |

  
\_\_\_\_\_  
**Marie Durrer, Chairman**  
**Greene County Board of Supervisors**

**ATTEST:**

  
\_\_\_\_\_  
**Mark Taylor, Clerk**  
**Greene County Board of Supervisors**

Solid Waste Facility  
Tipping Fees as of July 1, 2022  
434-985-5215 (PHONE)  
434-985-5219 (FAX)  
Facility Hours: Monday-Saturday 8:00 A.M. to 4:00 P.M.  
**SCALE HOURS: IN AND DUMPED BY 3:30 P.M.**

**Per Item:**

|                          |                                                  |                |
|--------------------------|--------------------------------------------------|----------------|
| <b>30 Gallon single</b>  | <b>Household garbage</b>                         | <b>\$1.00</b>  |
| <b>50 Gallon single</b>  | <b>Household garbage</b>                         | <b>\$2.00</b>  |
| <b>90 Gallon single</b>  | <b>Household garbage</b>                         | <b>\$3.00</b>  |
| <b>30 Gallon Books</b>   | <b>12 Tickets</b>                                | <b>\$10.00</b> |
| <b>50 Gallon Books</b>   | <b>12 Tickets</b>                                | <b>\$17.00</b> |
| <b>Small Furniture</b>   | <b>Dresser, Chair, Mattress</b>                  | <b>\$5.00</b>  |
| <b>Large Furniture</b>   | <b>Sofa,</b>                                     | <b>\$15.00</b> |
| <b>Small Appliance</b>   | <b>Sink, Toilet, Microwave</b>                   | <b>\$5.00</b>  |
| <b>Small Scrap Metal</b> | <b>Lawn Mower, Grill</b>                         | <b>\$5.00</b>  |
| <b>Large Scrap Metal</b> | <b>Dish Washer, Water Heater</b>                 | <b>\$10.00</b> |
| <b>Burn Barrels</b>      | <b>If Not Burned In</b>                          | <b>\$3.00</b>  |
| <b>Burn Barrels</b>      | <b>If Burned In</b>                              | <b>\$5.00</b>  |
| <b>White Good</b>        | <b>Refrigerator, Dehumidifier, Washer, Dryer</b> | <b>\$15.00</b> |
| <b>Car Tire</b>          | <b>Must Be Off Rim</b>                           | <b>\$6.00</b>  |
| <b>Truck Tire</b>        | <b>Must Be Off Rim</b>                           | <b>\$15.00</b> |
| <b>Tractor Tire</b>      | <b>Must Be Off Rim</b>                           | <b>\$20.00</b> |
| <b>Scale Minimum</b>     |                                                  | <b>\$5.00</b>  |

**Per Ton:**

|                     |                           |                |
|---------------------|---------------------------|----------------|
| <b>Construction</b> | <b>Lumber, Shingles</b>   | <b>\$60.00</b> |
| <b>Commercial</b>   | <b>House Hold Garbage</b> | <b>\$60.00</b> |
| <b>Brush</b>        | <b>Tree Trimming</b>      | <b>\$60.00</b> |