

January 25, 2022

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, JANUARY 25, 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
Melissa Meador, Director of Emergency Services

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 the Social Services Board.
- 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 aforesated 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 Davis Lamb, second by Dale Herring 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: REAPPOINTMENT OF JOANNE BURKHOLDER TO THE SOCIAL SERVICES BOARD

Upon motion by Davis Lamb, second by Dale Herring and unanimous roll call vote, the Board reappointed Joanne Burkholder to the Greene County Social Services Board for a 4-year term which will expire on January 31, 2025.

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

Davis Lamb - Yes

Motion carried.

RE: PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

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

RE: ADOPTION OF AGENDA

Upon motion by Dale Herring, second by Steve Bowman 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: MATTERS FROM THE PUBLIC

Mr. Joe Mitch Miller was present to update the Board that Mr. Herring and Ms. Heflin had met with him to speak about the issues that he had brought before the Board at the two previous meetings regarding Dogwood Valley.

RE: CONSENT AGENDA

Upon motion by Dale Herring, second by Steve Bowman and unanimous roll call vote, the Board approved the consent agenda items as presented:

- a. Minutes of previous meeting
- b. Resolution to accept and appropriate \$11,787.88 for donations to the Animal Shelter for sterilization of dogs (See Attachment "A")
- c. Resolution to accept and appropriate \$639.00 for donations to the Animal Shelter (See Attachment "B")
- d. Resolution to accept and appropriate \$4,086.00 for donations to the Sheriff's Department (See Attachment "C")
- e. Resolution to accept and appropriate \$2,000.00 for proffers (See Attachment "D")
- f. Resolution to accept and appropriate \$1,323.50 for insurance recovery - Sheriff's Department – 2013 Ford Police Interceptor (See Attachment "E")
- g. Resolution to accept and appropriate \$16,550.80 for insurance recovery - Sheriff's Department – 2016 Ford Explorer and 2017 Ford Police Interceptor (See Attachment "F")
- h. Resolution to end the existence of a local emergency due to winter storm Frida (See Attachment "G")
- i. Resolution for the declaration of a local emergency due to winter storm Izzy (See Attachment "H")
- j. Resolution to end the existence of a local emergency due to winter storm Izzy (See Attachment "I")

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

Motion carried.

RE: PRESENTATION OF FY21 AUDIT

Mr. Matt McLearen of Robinson, Farmer, Cox Associates was present to share the results of the FY21 Audit with the Board. He shared the required communications with the Board as the local governing body. He said that the responsibilities of both parties were adhered to under professional standards for the FY21 Audit. He shared that there were no difficulties encountered while performing the FY21 Audit. He also stated that all misstatements were reported and considered corrected. There were no disagreements in applying accounting principles for the FY21 Audit. He reviewed the financial report. He said that they had issued an unmodified and clean opinion for FY21. He shared the balance sheet with the Board. He said that the total fund balance as of June 30, 2021 was approximately \$18 million. The County also reports the debt service fund and the school capital projects fund. The general fund is the main operating fund and can be appropriated at the Board's discretion. The fund balances are categorized based on the hierarchy of how they are restricted. Committed and unassigned are the least restricted categories that are reported for the County. Those two numbers are added together and compared to the total general fund expenditures. That total showed 42% at June 30, 2021. Last fiscal year, that total was at 33%. The Statement of Revenues, Expenditures and Changes in Fund Balance is very similar to an income statement for a not-for-profit entity. It reports the increase or decrease of the fund balance or the net equity of the County. The general fund change in fund balance represents an increase of \$4.67 million for the year ending June 30, 2021. The Independent Auditor's Report on Internal Controls would describe any material weakness, significant deficiencies or noncompliance flaws. The report shows none of these. The Uniform Guidance report is a required single audit for any entity that receives greater than \$750 thousand dollars in federal funding, which would include the Schools, Social Services and the County. The audit shows an unmodified or clean opinion on the single audits for the fiscal year ending June 30, 2021. The Board thanked Mr. McLearen.

RE: FINANCIAL POLICIES AND BUDGETING FOR CAPITAL

Mr. Taylor shared his draft of the County's financial policy for the Board's review. He said that one of the fundamental needs of the County is to budget for future capital needs. There are maintenance, repair and space needs issues that would require a systematic approach for funding. Ms. Morris said that she has been in contact with Mr. McLearen regarding a policy for carryover funds for capital. Mr. McLearen said that there isn't a formal policy for that. It is usually budgeted. If we were to allow carryover, such a policy may lead to departments over-stating their budgets. Ms. Morris said that, as of right now, the only carryover that is permitted is if a budgeted project is not completed by the end of the fiscal year, those monies are carried forward to the new year for the project completion. Mr. McLearen said that appropriations lapse at year end for

departments. There is not a formal process to carry over unexpended budget for specific departments. School Boards are different, in that regard, but for actual departments of the County, those budgets for the fiscal year do lapse at year end. Accumulating funds for projects going forward is part of the budget process or can be a part of a financial policy. You can accumulate funds in a capital projects fund that can then be used for future projects, which do not have to be identified up front. After much discussion by the Board, it was agreed that staff would continue to work on this policy for Board review and approval.

RE: GRANT OPPORTUNITIES

Ms. Terry Beigie, Grants Writer, was present to update the Board as to her accomplishments since being hired as the County's first Grants Writer. She shared that she has turned in a grant for repairs to our Courthouse. This is a 50/50 matching grant and we likely won't hear the outcome of the submittal until June 30, 2022. She also said that she is working on the SAFER Grant, Staffing for Adequate Fire and Emergency Response, which is a grant from the Department of Homeland Security. There are two funding opportunities and we will apply for both. One of them is hiring new career firefighters and the other is recruitment and retention of volunteer firefighters. These grants are due February 4th. There is no County match, but in three years, the salaries and benefits would come back to the County. That gives us three years to find a revenue stream to cover those positions. We are asking for ten full-time firefighters and one battalion chief which would create a hybrid station to cover Ruckersville. We should hear something by June, but the latest could be September. We are going to focus on a 12-month volunteer recruitment program across all three departments. Ms. Beigie said that she is also working on the Rescue Squad Assistance Fund grant, which will likely have a county match. This grant would help to cover costs for items needed for the Emergency Medical Services department. This grant comes open twice per year and we intend to apply every time. Ms. Beigie said that she is working closely with Parks and Recreation and Economic Development to identify grant possibilities for trail expansion and program building. She is also working with the Ruckersville Advisory Committee and the Planning department, looking at the CIP and trying to identify funding sources to help with some of those projects. Most of these funding opportunities will be an 80/20 match. She is also working with Ruckersville and Dyke Volunteer Fire Departments to apply for Rappahannock Electric's Power of Change grant, which is due February 10th. Ms. Beigie said that she is scheduling meetings with each department, constitutional officer and the school system to develop a list of needs. She is working on possible funding avenues for the Greene County Water Supply Plan and is wrapping up the VDEM grant for Geranium Road. She has also finished half of the required classwork to be certified by VDOT to apply for Federal Highway Administration dollars. You must be certified in order to apply for these monies. She will be finished by the end of February. Mr. Herring noted that Ms. Beigie is currently working on eight grants.

RE: PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE GREENE COUNTY ORDINANCE REGARDING DISTRICT BOUNDARY LINES AND NAMES AND LOCATIONS OF CERTAIN POLLING PLACES

Ms. Jennifer Lewis-Fowler was present to share some updates regarding the redistricting process. She said that we have been recently redistricted to Congressional District 7. There will be a June 21, 2022 Primary Election. We have been redistricted to Senate District 28, with a

Primary Election on June 20, 2023. We have been redistricted to the House of Delegates District 62 which will have a June 20, 2023 Primary Election. She shared a map that illustrated the population by district with the newly updated Census numbers. The Board will receive public comment this evening in order to be able to vote on the adoption of Map 3 at the next Board meeting. Also, there will have to be a new district created for the Town of Stanardsville. The Electoral Board is seeking a viable polling place now. She said that there is one member of the School Board that will be bumped out of his district. Mr. Herring clarified that that person will be able to finish out his term in his current district. Ms. Lewis-Fowler said that the proposed redistricting map will meet the population requirements per district. Mr. Lamb asked when the new districts would come into effect. Ms. Lewis-Fowler said June 21, 2022 for the Primary.

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

The Board thanked Ms. Lewis-Fowler.

RE: RESOLUTION TO DESIGNATE A PORTION OF GREENE COUNTY TAX PARCEL 66-(A)-48, SOUTH OF THE PLANNED CONNECTOR ROAD, AND AS SHOWN ON GENERALIZED DEVELOPMENT PLAN FOR THE VILLAGES AT TERRACE GREENE AS A REVITALIZATION AREA

Mr. Frydl explained to the Board that this is a requirement for a funding program through the Virginia Department of Housing and Community Development. It is commonly referred to as workforce housing. It gives preferential loan rates to a developer for them to commit 20% of the units for workforce housing. This is not low-income housing. You have to have 80% of the average median income to qualify. As an example, a unit would require \$60,000 or greater to be above 80% of the average median income. An example of how the program works is a family earning \$61,000 would pay the regular market rate for rent of \$1,500 for a unit. A family earning below \$60,000 would pay \$1,200. It's a very common program that Greene County, as well as all of the surrounding Counties, have taken advantage of for their projects. Ms. Heflin asked if there was a reason that this request was not included in the initial SUP process that they went through with the County. Mr. Frydl said that it is not something that the County would regulate in land use. It is just a financing opportunity, so not something that we as the county would be involved in. For this part of the program, revitalization essentially means that there is commercial and residential on the same parcel and that the residential portion benefits the commercial portion by providing a place for the employees of the commercial part to live. Mr. Lamb asked how many units would be involved in this Revitalization Area. Mr. Frydl said that parcel has 282 total units so there is the potential for about 56 of these units. Ms. Durrer asked if there would be a difference in the way these units looked as compared to the others. Mr. Frydl said no, they would all be built to the same standards. Ms. Kemp said that the designation is not actually given to particular units, it would just be a percentage of the units that are available for the reduced rental costs. Ms. Heflin was concerned that we may lose businesses due to the revitalization area designation. Mr. Taylor said that this is a very common designation that is found in most suburbanizing and growing communities all over the state.

Upon motion by Dale Herring, second by Steve Bowman and unanimous roll call vote, the Board approved the resolution to designate a portion of Greene County tax parcel 66-(a)-48, south of the planned connector road, and as shown on generalized development plan for The Villages at Terrace Greene as a revitalization area as presented. (See Attachment "J")

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

Motion carried.

RE: APPROVAL OF THE PURCHASE OF 437 GERANIUM ROAD, RUCKERSVILLE
USING PASS-THROUGH FEMA FUNDS TO PROVIDE HOMEOWNER RELIEF FROM
LOSS DUE TO CHRONIC FLOODING

Mr. Taylor explained to the Board the necessity of their approval to use pass-through grant funds from FEMA to purchase 437 Geranium Road in Twin Lakes. This property is subject to chronic flooding. It is in a FEMA identified flood zone. The grant uses 75% federal money through FEMA, 20% state money through VDEM and 5% local money, which will come from the homeowners. In order to satisfy the program, the home must be demolished and removed. Those costs are included in the grant. The demolition will involve a burn activity by the fire departments. The program requires that the property remain in County ownership. The Twin Lakes Homeowner's Association has yearly dues and other fees associated with the maintenance of the dam. In order to keep the County from taking on those dues and fees, the County is willing to lease the property to the HOA in exchange for the yearly fees that would be associated with that lot. It would become a piece of open, green space within the neighborhood. Mr. Taylor said that he is asking the Board to approve the MOU and direct staff to proceed with accepting the grant, taking the property and moving forward with this project.

Upon motion by Dale Herring, second by Steve Bowman and unanimous roll call vote, the Board approved the MOU as presented and directed staff to accept the grant. (See Attachment "K")

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

Motion carried.

RE: RESOLUTION REQUESTED BY RSA TO REINSTATE THE FACILITY FEE TO RSA
CUSTOMERS UNTIL GREENE COUNTY'S WITHDRAWAL FROM RSA IS COMPLETED

Mr. Taylor said that he has to apologize for being constrained to bring this resolution before the Board and ask them to approve it. Greene County's dispute with RSA continues despite the

fact that the Circuit Court of Greene County has ruled against RSA seven times and the Supreme Court of Virginia has ruled against RSA in the review of one of the rulings of the Circuit Court. RSA will not let Greene County go. Following the Court's ruling that the facility fee was a lawful fee and not an illegal tax, RSA has said they wish to put the facility fee back in place. Taking away the facility fee has cost Greene County \$2 million dollars so far in this dispute. RSA's only path forward is to restore the facility fee. In our plan to withdraw from RSA and operate our own water and sewer and service, we do not plan on having a facility fee. RSA has told us that they want a direct statement from the Board to reinstate the facility fee.

Mr. Herring asked Mr. Taylor if the Board approves this resolution, is RSA required to have a public hearing on the reinstatement of the facility fee. Mr. Taylor said yes, RSA must have a public hearing. Mr. Herring asked if we could request that the public hearing be held in Greene County. Mr. Taylor said we could. Mr. Herring asked if we could advise the citizens of the public hearing and ask them to attend the public hearing to voice their satisfaction or dissatisfaction. Mr. Taylor said that the public hearing will be held where a majority vote of the RSA Board says it should be held. Greene County only has 2 of the six votes, but we will do all that we can to publicize the time, date and location of the public hearing. Mr. Herring said that the RSA Board will also get to set the time of the meeting. Mr. Taylor said yes, that their meetings are usually held on the 3rd Thursday of every month at 2:00 p.m.

Mr. Lamb asked if the Board's approval of this resolution would hurt Greene County's standing in the pending litigation. Mr. Taylor said that the legal principal that is involved says that any party that is in a dispute such as we are has a duty to limit their damages. We are damaged by RSA terminating the facility fee, so we have a duty to limit that damage by allowing RSA to reinstate the fee.

Mr. Herring asked about the phone calls that County Administration would receive once this fee was reinstated and if they could be forwarded on to RSA. Mr. Taylor said that yes, they would and that he planned to have a formal statement for staff to share with the public.

Mr. Bowman said that he believes that this will benefit us as we move forward as it shows that we are complying with all of the rules in this litigation. We will continue to pursue all of the additional monies that are owed to the County. He will support this resolution.

Mr. Herring shared that he is a customer of RSA, so he will be impacted by this vote. He encourages the residents of Greene County to email the supervisors of Orange and Madison Counties because their representatives are not allowing us to leave RSA.

Ms. Durrer said that she will support this resolution but is curious if RSA will even have a public hearing. Mr. Taylor said that this resolution is not hindering RSA from holding the public hearing. This is happening for the sake of delay. Nothing requires RSA to act on this request in a timely manner.

Ms. Kemp said that she just wants it reiterated that this resolution does not change positions that the County has stated in other forums and that the County does not plan to have the facility fee going forward. Mr. Taylor said that is correct. We do not plan on having a facility fee once we are operating our own water and sewer service.

Upon motion by Davis Lamb, second by Steve Bowman and unanimous roll call vote, the Board approved the resolution to reinstate the facility fee per RSA's request. (See Attachment "L")

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

Motion carried.

RE: APPROVAL OF SERVICE AGREEMENT BETWEEN CULPEPER SOIL AND WATER CONSERVATION DISTRICT AND THE COUNTY OF GREENE

Mr. Frydl said that the service agreement before them is a simple request because Mr. Ratzlaff has left his employment with the County. In the short-term, on the staff level, we need additional assistance with the site plan review as it is very time consuming. It accounted for about 1/3 of the total work that Mr. Ratzlaff handled. This agreement allows us to contract with the Culpeper Soil and Water Conservation District with an hourly rate. The salary savings from the vacant position will cover the costs of this agreement.

Upon motion by Dale Herring, second by Davis Lamb and unanimous roll call vote, the Board approved the agreement between Greene County and the Culpeper Soil and Water Conservation District. (See Attachment "M")

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

Motion carried.

RE: ARPA FUNDING REQUEST FROM RUCKERSVILLE VOLUNTEER FIRE DEPARTMENT, STANARDSVILLE VOLUNTEER FIRE DEPARTMENT AND DYKE VOLUNTEER FIRE DEPARTMENT

Mr. Taylor said that we have received funding requests from all three fire companies for various items from ARPA funds. ARPA guidance and ARPA parameters are quite different from CARES Act guidelines. ARPA does allow expenditures for purposes that directly contribute to a public health response to COVID. There is an area of qualified expenditures relating to support for non-profit entities who have seen a decrease in their contributions or fundraising associated

with the Covid pandemic. The locality may use ARPA funds to give a grant that will help to offset that loss. The requests that we have before us include costs for turn out gear and facility needs, as well as other matters. Mr. Taylor said that he and Ms. Morris have been finding challenges in fitting these matters into the public health response category and are finding a better fit in the loss replacement grant possibilities. There have also been multiple communications recently from RVFD in relation to funding issues and other matters pertaining to their operations that may also bear on the funding requests before the Board.

Mr. Herring said that the fire departments came forward after his encouragement at the ESAB meetings to present items that are needed and have not been replaced due to lack of fundraising. He said that this will not prevent them from coming back with another request in the future as the ARPA funding guidelines evolve.

Mr. Bowman said that he does not see documentation on the loss of each department. Mr. Taylor said that we have received information regarding the fundraising loss information from the fire departments. Mr. Bowman said that since that area seems to be the easiest to address immediately, that is where we should focus our funds.

Mr. Herring said that with these funds, if we approved the funding based upon the loss of fundraisers and donations over the last two years, we would not get to dictate how those funds are spent. Mr. Taylor said that is correct. The guidance says you can give them funds to replace the loss. We could give them a suggestion or express a desire as to how those funds should be used.

Mr. Bowman said that each department has put off purchases due to the lack of donations, so he feels that they have items that they are waiting to purchase. He supports this request.

Ms. Durrer asked if we would need to have documentation from the last three years to show the loss each department has faced. Mr. Taylor said that we have some reporting. Ruckersville reports a loss of \$31,214. Stanardsville reports a loss of \$45,000. Dyke reports a loss of \$6,524.

Mr. Herring said that he feels that we need to do this. If the departments would like to go back and recheck their numbers, we could defer to the next meeting.

Ms. Heflin asked if we would designate ARPA funds based on needs during the budget process. Mr. Herring said that you cannot do a budget replacement with ARPA or CARES Act funds. Mr. Taylor said that we have not had the opportunity to create a process for dispersing ARPA funds. He said that we need to take care with the documentation for the disbursement of the funds as the auditors require great detail in the documentation. Ms. Morris said that the allocation of funds would require a resolution. Ms. Meador said that they also need to look at the loss of each department due to lack of building rental.

Mr. Bowman asked about the Sheriff's request. Mr. Taylor and Ms. Morris said that they have not received a request for ARPA funds from the Sheriff. Mr. Taylor said that they would look into it.

It was the consensus of the Board that this decision would be deferred to the next meeting so that all information can be gathered and resolutions can be presented for the Board's approval.

RE: BOARD LIAISON REPORTS

Mr. Herring said ESAB did not meet because of snow storms. He said that the Rivanna River Basin Commission has a non-profit survey on their website. The Thomas Jefferson Planning District Commission does not meet in the month of January.

Mr. Lamb said that he met with Culpeper Soil and Water and he feels that they are giving the County a good deal.

Ms. Heflin said that the EDA met and had a presentation by the Defense Affairs Committee and also one by the Sojourners glamping.

Mr. Bowman said that the School Board met on January 12, 2022. Mr. Sansom was voted in as Chair and Mr. Collier was voted in as the Vice Chair. They talked about staff shortages that they are currently facing. They also had a special meeting regarding the covid mitigation strategies and procedures. There were 29 speakers and the Board voted 3-2 to make masks optional in school. Masks are still required on the school busses. He said that the Planning Commission met and the new Chair is Ron Williams and Vice Chair is Mike Traber. They amended their bylaws to include remote participation. They forwarded the CIP to the Board with a 5-0 vote. The liaison from the Planning Commission to the Stanardsville Town Council is John McCloskey. The liaison for the Ruckersville Area Committee is Angela Hawkins and the liaison for the Economic Development Authority is Mike Traber.

Ms. Durrer said that the Central Virginia Regional Jail did not meet as they did not have a quorum. They will meet in February for their organizational meeting.

RE: COUNTY ADMINISTRATOR UPDATE

Mr. Taylor thanked Mr. Justin Morris of Facilities Maintenance and Mr. Walter Rogers for a great job with snow removal. He also shared that there was a virtual hearing in the RSA litigation. Judge Worrell heard Greene County's motion for partial summary judgement which was a pleading looking for a ruling that RSA acted in breach of our agreement when they terminated the facility fee. No ruling was made but the Judge said that he will rule as soon as possible. Mr. Ratzlaff has left Greene County employment and we wish him well. We are searching for his replacement.

RE: ADJOURN

Upon motion by Dale Herring, 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 TO ACCEPT AND APPROPRIATE ELEVEN THOUSAND SEVEN HUNDRED EIGHTY-SEVEN DOLLARS AND EIGHTY-EIGHT CENTS FOR THE STERILIZATION PROGRAM FOR DOGS

WHEREAS, the Animal Shelter for the County of Greene has received funding from private donations for the sterilization program for dogs; and

WHEREAS, the funds in the amount of eleven thousand seven hundred eighty-seven dollars and eighty-eight cents (\$11,787.88) need to be appropriated to the appropriate line item in the 2021-2022 budget of the County of Greene, Virginia.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that eleven thousand seven hundred eighty-seven dollars and eighty-eight cents (\$11,787.88) be appropriated to the 2021-2022 budget of the County of Greene.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to do all things necessary to give this resolution effect.

Adopted this 25th day of January, 2022.

Motion: Dale Herring
Second: Steve Bowman

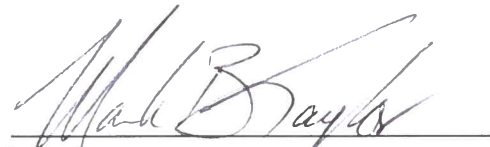
Recorded Vote:

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



Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST:



Mark B. Taylor, Clerk
Greene County Board of Supervisors

RESOLUTION TO ACCEPT AND APPROPRIATE SIX HUNDRED THIRTY-NINE DOLLARS FOR OPERATING EXPENDITURES OF THE ANIMAL SHELTER

WHEREAS, the Animal Shelter for the County of Greene has received funding from private donations for operating expenditures; and

WHEREAS, the funds in the amount of six hundred thirty-nine dollars (\$639.00) need to be appropriated to the appropriate line item in the 2021-2022 budget of the County of Greene, Virginia.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that six hundred thirty-nine dollars (\$639.00) be appropriated to the 2021-2022 budget of the County of Greene.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to do all things necessary to give this resolution effect.

Adopted this 25^h day of January, 2022.

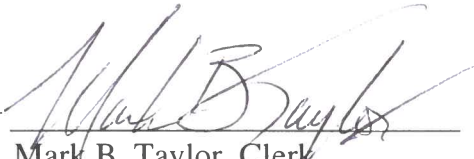
Motion: Dale Herring
Second: Steve Bowman

Recorded Vote:

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



Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST: 

Mark B. Taylor, Clerk
Greene County Board of Supervisors

RESOLUTION TO ACCEPT AND APPROPRIATE FOUR THOUSAND EIGHTY-SIX DOLLARS FOR SHERIFF EXPENSES

WHEREAS, the Sheriff's Department for the County of Greene has received funding from donations for expenses; and

WHEREAS, the funds in the amount of four thousand eighty-six dollars (\$4,086.00) need to be appropriated to the appropriate line item in the 2021-2022 budget of the County of Greene, Virginia.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that four thousand eighty-six dollars (\$4,086.00) be appropriated to the 2021-2022 budget of the County of Greene.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to do all things necessary to give this resolution effect.

Adopted this 25th day of January, 2022.

Motion: Dale Herring

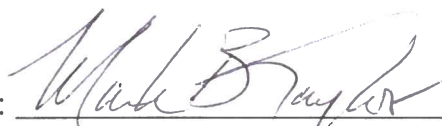
Second: Steve Bowman

Recorded Vote:

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



Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST: 

Mark B. Taylor, Clerk
Greene County Board of Supervisors

**RESOLUTION TO ACCEPT AND APPROPRIATE TWO THOUSAND DOLLARS
FOR PROFFERS**

WHEREAS, the County of Greene has received proffers from various developers; and

WHEREAS, the funds in the amount of two thousand dollars (\$2,000.00) need to be appropriated to the appropriate line item in the 2021-2022 budget of the County of Greene, Virginia.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that two thousand dollars (\$2,000.00) be appropriated to the 2021-2022 budget of the County of Greene.

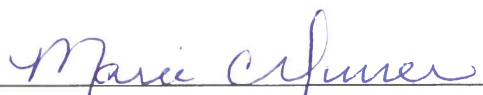
BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to do all things necessary to give this resolution effect.

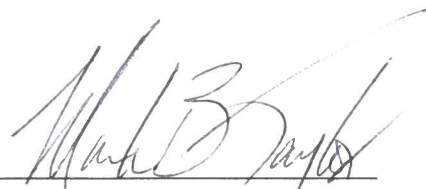
Adopted this 25th day of January, 2022.

Motion: Dale Herring
Second: Steve Bowman

Recorded Vote:

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


Marie C. Durrer, Chair
Greene County Board of Supervisors

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

**RESOLUTION TO ACCEPT AND APPROPRIATE ONE THOUSAND THREE
HUNDRED TWENTY-THREE DOLLARS AND FIFTY CENTS FOR AN
INSURANCE RECOVERY**

WHEREAS, the County of Greene has received funding for an insurance recovery; and

WHEREAS, the funds in the amount of one thousand three hundred twenty-three dollars and fifty cents (\$1,323.50) need to be appropriated to the appropriate line item in the 2021-2022 budget of the County of Greene, Virginia.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that one thousand three hundred twenty-three dollars and fifty cents (\$1,323.50) be appropriated to the 2021-2022 budget of the County of Greene.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to do all things necessary to give this resolution effect.

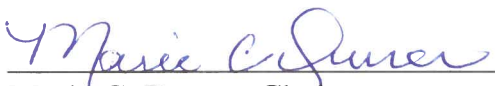
Adopted this 25th day of January, 2022.

Motion: Dale Herring

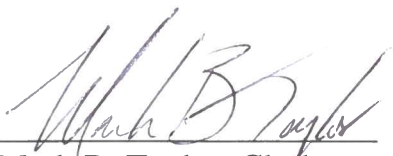
Second: Steve Bowman

Recorded Vote:

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


Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST:


Mark B. Taylor, Clerk
Greene County Board of Supervisors

**RESOLUTION TO ACCEPT AND APPROPRIATE SIXTEEN THOUSAND FIVE
HUNDRED FIFTY DOLLARS AND EIGHTY CENTS FOR AN
INSURANCE RECOVERY**

WHEREAS, the County of Greene has received funding for an insurance recovery; and

WHEREAS, the funds in the amount of sixteen thousand five hundred fifty dollars and eighty cents (\$16,550.80) need to be appropriated to the appropriate line item in the 2021-2022 budget of the County of Greene, Virginia.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that sixteen thousand five hundred fifty dollars and eighty cents (\$16,550.80) be appropriated to the 2021-2022 budget of the County of Greene.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to do all things necessary to give this resolution effect.

Adopted this 25th day of January, 2022.

Motion: Dale Herring
Second: Steve Bowman

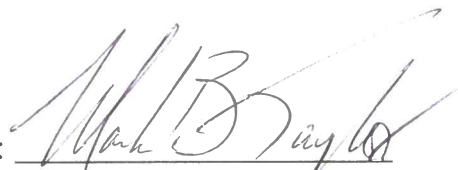
Recorded Vote:

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



Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST:



Mark B. Taylor, Clerk
Greene County Board of Supervisors

**RESOLUTION
ENDING THE EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, on January 4, 2022, the county was facing conditions associated with Winter Storm Frida; and

WHEREAS, due to this occurrence the County of Greene was in a state of peril to the lives, health, safety, welfare, and property of the residents of Greene County; and,

WHEREAS, as a result of this peril, a declaration of the existence of an emergency was necessary to permit the full powers of government to deal effectively with this condition of peril; and,

WHEREAS, in accordance with § 44-146.21 Code of Virginia and the County of Greene Emergency Operations Plan, on January 4, 2022 at 1200 hours a Local Emergency was declared to exist by the Vice Chairman of the Board of Supervisors, Marie Durrer, and Melissa Meador, Coordinator of Emergency Management; and,

WHEREAS, on January 11, 2022 the Board of Supervisors met and confirmed by resolution that a Local Emergency did exist, and,

WHEREAS, pursuant to the declaration of a local emergency, the County's Emergency Operations Plan was activated;

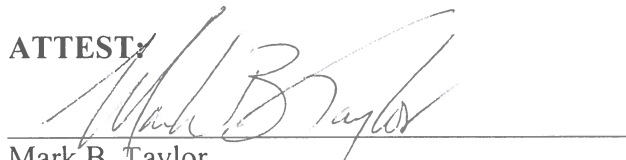
NOW, THEREFORE, BE IS RESOLVED, that the local emergency that was declared on January 4, 2022 and confirmed by the Greene County Board of Supervisors by resolution adopted January 11, 2022 no longer exists and is therefore declared to be ended as of January 14, 2022 at 0600 hours.

Adopted by the Greene County Board of Supervisors on: January 25, 2022.



Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST:


Mark B. Taylor
County Administrator

**RESOLUTION FOR THE DECLARATION
OF A
LOCAL EMERGENCY**

WHEREAS, the Board of Supervisors of the County of Greene, Virginia does hereby find that:

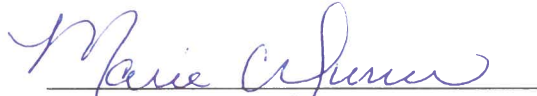
1. Due to the occurrence of Winter Storm Izzy, the County of Greene is facing a condition of peril to the lives, safety and property of the residents of Greene County;
2. That as a result of this peril, the proclamation of the existence of an emergency is necessary to permit the full powers of government to deal effectively with this condition of peril as of 0800 hours on the 16th day of January, 2022.

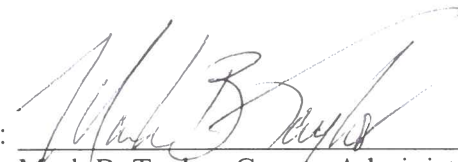
NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Board of Supervisors of the County of Greene, Virginia, that a local emergency now exists throughout the County of Greene; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said emergency, the powers, functions and duties of the Director of Emergency Management and the Emergency Management organization and functions of the County of Greene shall be those prescribed by state law and the ordinances, resolutions and approved plans of the County of Greene in order to mitigate the effects of said emergency.

In order to carry out the effect of this resolution, a sum of money, not to exceed \$5,000, is hereby appropriated from the county's unappropriated fund balance to cover the reasonable operational cost of Emergency Management pending further report to this Board and such additional appropriations as shall be deemed necessary to cover the expected scope of this emergency.

Affirmed and adopted this 25th day of January, 2022 due to the emergency conditions caused by the Winter Storm Izzy.


Marie C. Durrer, Chairman
Greene County Board of Supervisors

Attest: 
Mark B. Taylor, County Administrator

**RESOLUTION
ENDING THE EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, on January 16, 2022, the county was facing conditions associated with Winter Storm Izzy; and

WHEREAS, due to this occurrence the County of Greene was in a state of peril to the lives, health, safety, welfare, and property of the residents of Greene County; and,

WHEREAS, as a result of this peril, a declaration of the existence of an emergency was necessary to permit the full powers of government to deal effectively with this condition of peril; and,

WHEREAS, in accordance with § 44-146.21 Code of Virginia and the County of Greene Emergency Operations Plan, on January 16, 2022 at 0800 hours a Local Emergency was declared to exist by the Chairman of the Board of Supervisors, Marie Durrer, and Melissa Meador, Coordinator of Emergency Management; and,

WHEREAS, on January 25, 2022 the Board of Supervisors met and confirmed by resolution that a Local Emergency did exist, and,

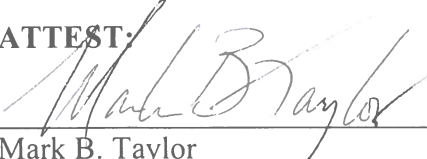
WHEREAS, pursuant to the declaration of a local emergency, the County's Emergency Operations Plan was activated;

NOW, THEREFORE, BE IS RESOLVED, that the local emergency that was declared on January 16, 2022 and confirmed by the Greene County Board of Supervisors by resolution adopted January 25, 2022 no longer exists and is therefore declared to be ended as of January 21, 2022 at 0600 hours.

Adopted by the Greene County Board of Supervisors on: January 25, 2022.



Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST:


Mark B. Taylor
County Administrator

RESOLUTION

WHEREAS, pursuant to Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the Board of Supervisors of the County of Greene, Virginia, desire to designate as a revitalization area that portion of Greene County Tax Parcel 66-(A)-48 which is south of the planned Connector Road (the “**Area**”) as shown and described in the zoning proffer statement and generalized development plan for The Villages at Terrace Greene as approved by the County on August 10, 2021 (RZ#20-007) (the “**Approved Plan**”), being the area highlighted on Exhibit A attached hereto;

NOW, THEREFORE, BE IT HEREBY DETERMINED as follows:

(1) the industrial, commercial or other economic development of the Area will benefit the County, but the Area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in the Area; and

(2) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the Area and will induce other persons and families to live within the Area and thereby create a desirable economic mix of residents in the Area.

NOW, THEREFORE, BE IT HEREBY RESOLVED that pursuant to Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the Area is hereby designated as a revitalization area.

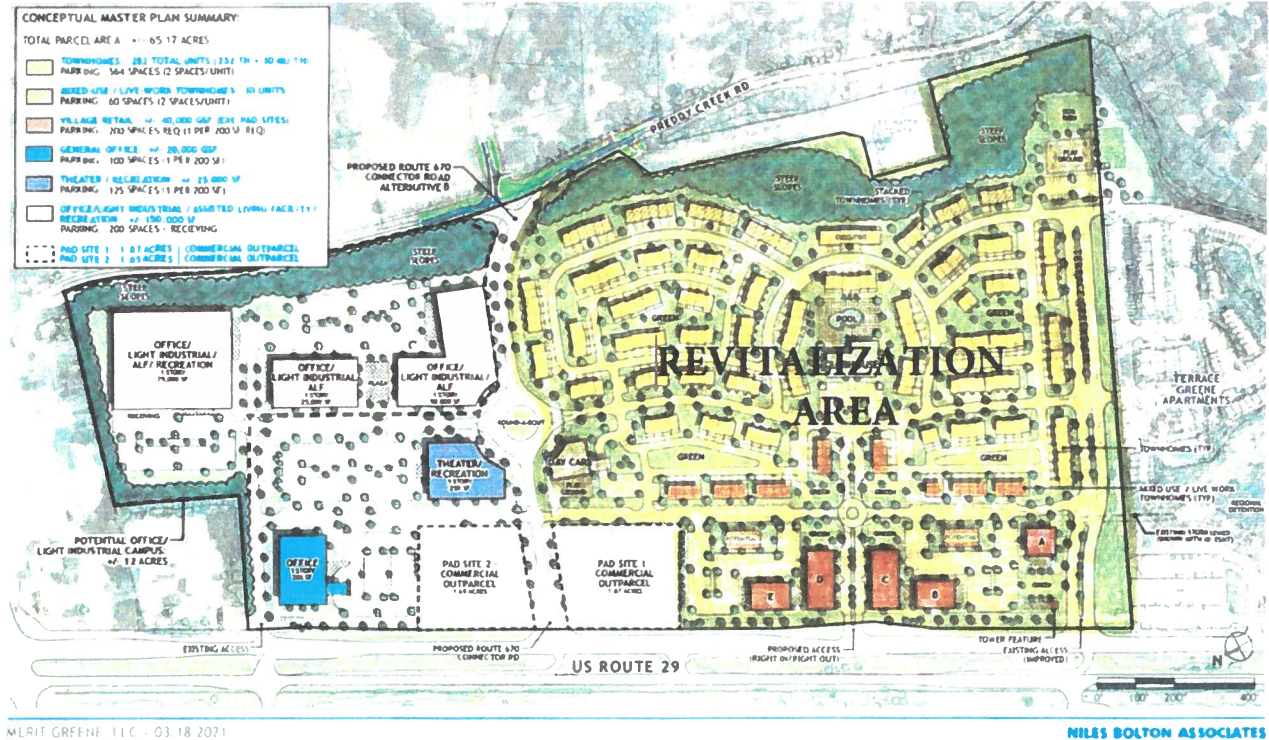
NOW, THEREFORE, BE IT HEREBY FURTHER DETERMINED that the following nonhousing building or buildings (or nonhousing portion or portions of the building or buildings) located or to be located in the Area substantially in accordance with the Approved Plan are necessary or appropriate for the industrial, commercial or other economic development of the Area:

- Clubhouse, swimming pool, playground and park amenities for residents;
- Mixed-use, live/work townhome units allowing residential and/or commercial use (such as first-floor retail with second-floor residential occupancy); and
- The core retail village and day care center contemplated by the Approved Plan.

EXHIBIT A

Conceptual Master Plan - North & South Parcels

Villages at Terrace Greene - Greene County, VA



Revitalization Area includes area south of Proposed Route 670 Connector Road, as highlighted
 (excludes Pad Site 1 Commercial Outparcel)

4866-1399-6809, v. 2

Motion: Dale Herring
 Second: Steve Bowman

Votes:

Ms. Durrer: Yes
 Mr. Lamb: Yes
 Mr. Bowman: Yes
 Mr. Herring: Yes
 Ms. Heflin: Yes

Attest:

Mark Taylor
 Mark Taylor, Clerk

Marie C. Durrer
 Marie Durrer, Chair

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (MOU) is entered into as of _____, 2022, by and between the GREENE COUNTY BOARD OF SUPERVISORS ("County"), and the TWIN LAKES OWNERS' ASSOCIATION:

WHEREAS, Greene County, Virginia is a political subdivision of the Commonwealth of Virginia; and

WHEREAS, Twin Lakes Owners' Association is a corporation created to provide the organizational framework for the residents and property owners of the Twin Lakes neighborhood; and

WHEREAS, 437 Geranium Road, Ruckersville, Virginia, tax map parcel 49A-32-D-15, is a lot within the Twin Lakes neighborhood and as such is subject to the rules and dues of the neighborhood association; and

WHEREAS, 437 Geranium Road has had significant flooding in the past and as such has been identified by FEMA as being in the flood plain and not suitable land for a structure; and

WHEREAS, FEMA has awarded the County a mitigation grant which will provide a process for the County to apply federal funds to acquire the above listed property and demolish the structure and then preserve the use of the property as open space in perpetuity; and

WHEREAS, the property will be rendered unbuildable in perpetuity and the deed shall reflect this; and

WHEREAS, the County does not wish pay to the homeowners' association fees, the County agrees to lease the property to the homeowner's association for open space enjoyment.

NOW, THEREFORE, in consideration of the promises set forth herein and for valuable consideration, the County does hereby contract with Twin Lakes Owners' Association pursuant to the following Terms and Conditions:

TERMS AND CONDITIONS

1. **Leased Premises:** The property at 437 Geranium Road, Ruckersville, Virginia, shall be leased by the County to Twin Lakes Owners' Association.
 - a. The current home on the property shall be demolished and cleaned-up by the County.
 - b. There shall never be a house, building, or other structure on the property as a result of the limitations outlined in the grant from FEMA and noted on the deed.
2. **Term:** The term of this Agreement shall be for an indefinite period of time.
3. **Uses:** The uses of this property shall be limited by the restrictions listed in the deed. The deed restrictions are incorporated into this MOU agreement. The property shall be

maintained in perpetuity as open space for the conservation of natural floodplain functions.

- a. Such uses may include: parks for recreation, wetlands management, nature reserves, cultivation, grazing, camping, unimproved, unpaved parking lots, buffer zones, and other uses consistent with FEMA guidance for open space acquisition, Hazard Mitigation Assistance, Requirements for Property Acquisition and Relocation for Open Space.
 - b. No new structures or improvements shall be erected on the Property other than:
 - i. Public facility that is open on all sides and functionally related to a designated open space or recreational use;
 - ii. Public restroom
 - iii. Structure that is compatible with open space and conserves the natural function of the floodplain.
 - c. Prior to the installation of any of the above listed uses, Greene County, the Virginia Department of Emergency Management, and FEMA shall all give approval for the added use.
4. **Rent:** The yearly amount of rent paid to the County shall be equal to the amount of the dues the lot would owe to the homeowners' association. If the Twin Lakes' dues are increased, the rent amount shall also increase to match the annual fee.
5. **Utilities:** There shall be no utilities provided to the lot.
6. **Successors and Assigns:** Except as otherwise provided, the covenants, conditions and agreements contained in this Lease shall bind and inure to the benefit of Landlord and Tenant, and their respective heirs, distributees, executors, administrators, successors and assigns.
7. **Governing Law:** This Lease was made in the state of Virginia and shall be governed by and construed in all respects in accordance with the laws of the State of Virginia. Any disputes arising out of this Lease shall be resolved in the Circuit Court for Greene County, Virginia.
8. **Severability:** If any term or provision of the Lease or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Lease or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term and provision of this Lease shall be valid and enforceable to the fullest extent permitted by law.
9. **Termination:** If this agreement is terminated for any reason, the result of the termination shall be that the County shall never be obligated to pay the homeowners' association fee.

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS
OF GREENE COUNTY, VIRGINIA
STANARDSVILLE, VIRGINIA
JANUARY 25, 2022**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF GREENE COUNTY,
VIRGINIA REQUESTING THE RAPIDAN SERVICE AUTHORITY REINSTATE
FACILITY FEES**

As stated below, the Board of Supervisors of Greene County, Virginia requests that the Rapidan Service Authority (“RSA”) reinstate the facility fees applicable to Greene County customers as in place prior to July 16, 2020.

RECITALS

1. Greene County and the RSA entered into the Rapidan Wastewater System Services Agreement, dated August 10, 2004, as amended by the First Amendment dated September 19, 2007 and the Second Amendment dated December 9, 2014 (the “Sewer Agreement”).
2. Greene County and the RSA entered into the Ruckersville Water System Ownership and Management Agreement, dated October 25, 2005, as amended by the First Amendment dated September 19, 2007 and the Second Amendment dated December 9, 2014 (the “Water Agreement”).
3. The RSA approved the Second Amendments to the Water Agreement and the Sewer Agreement on February 19, 2015.
4. The RSA approved the facility fees applicable to customers in Greene County on December 18, 2014, July 19, 2018, and November 15, 2018.
5. The RSA collected the facility fees and shared the fees with Greene County pursuant to the Water and Sewer Agreements, as amended, from 2015 through July 16, 2020.
6. The RSA participated with Greene County in regional water planning and the development process for the White Run Reservoir and the new water treatment plant project, including site selection, engineering design, permitting, and financial planning.
7. Greene paid water and sewer debt assumed from the RSA and incurred additional debt to construct water and sewer facilities as provided for in the Water and Sewer Agreements.
8. The RSA terminated the facility fees on July 16, 2020. The RSA gave no public notice of the proposed action and offered no opportunity for public comment.
9. Greene County objected to the RSA’s termination of the facility fees.

10. The RSA's action on July 16, 2020 was inconsistent with the long standing practice of the RSA to defer to each member county with respect to the water and sewer facilities in each member county and related issues.

11. Greene County sent the RSA notices dated December 10, 2020 and February 5, 2021 that the RSA's termination of the facility fees breached the RSA's obligations to Greene County pursuant to the Water and Sewer Agreements, as amended. The RSA did not respond to these notices.

12. Greene County filed its Amended Complaint asserting its claims of breach of contract on January 18, 2021. The Circuit Court of Greene County approved the filing of the Amended Complaint by Order dated February 9, 2021.

13. On July 28, 2020, the Greene County Board of Supervisors adopted a Resolution seeking to withdraw from the RSA pursuant to Virginia Code § 15.2-5112.

14. On April 5, 2021, the Greene County Board of Supervisors adopted a second Resolution seeking to withdraw from the Rapidan Service Authority.

15. On April 13, 2021, the Boards of Supervisors of Orange County and Madison County adopted Resolutions pursuant to Virginia Code § 15.2-5112 consenting to Greene County's withdrawal from the RSA.

16. On May 25, 2021, Orange County and Madison County entered into The Memorandum of Agreement/Withdrawal of Greene County, Virginia from the Rapidan Service Authority.

17. By Order dated August 16, 2021, the Circuit Court of Greene County denied the RSA's Plea in Bar and found that the facility fee is not an impermissible tax but, rather, a permissible fee.

18. On October 29, 2021, the Virginia Resources Authority gave its conditional consent to Greene County's withdrawal from the RSA.

19. By Order dated December 7, 2021, the Circuit Court denied the RSA's Plea in Bar based on sovereign immunity.

20. By Order dated December 8, 2021, the Circuit Court denied the RSA's Demurrer to the Amended Complaint.

21. By Order dated January 3, 2022, the Supreme Court of Virginia denied the RSA's Petition for Review of the Circuit Court's December 7, 2021 Order.

22. As a result of the RSA's termination of the facility fee on July 16, 2020, Greene County has not received approximately \$2,095,000. Greene County has incurred approximately \$2,095,000 in damages as a result of the RSA's termination of the facility fee. As a result, Greene

County has been forced to pay water and sewer debt service and other utility system expenses from general fund revenues.

23. On July 13, 2021 and August 16, 2021, Greene County provided the RSA with written proposals for Greene County's withdrawal from the RSA.

24. At its meeting on November 18, 2021, the RSA adopted a motion that the Greene County facility fee be reinstated at the July 2020 rate of \$30/month with any regional public hearing taking place as soon as possible.

25. Greene County and the RSA participated in a mediation on December 8, 2021. The mediation of the disputes between the RSA and Greene County has not been successful.

26. Greene County continues to work toward its withdrawal from the RSA on fair and reasonable terms and conditions.

NOW, THEREFORE, BE IT RESOLVED by the Greene County Board of Supervisors, as follows:

1. Greene County requests the RSA to take appropriate actions to reinstate the facility fee applicable to Greene County customers as it existed prior to July 16, 2020, as stated in the November 18, 2021 motion approved by the RSA Board, pending Greene County's withdrawal from the RSA.

Motion: Davis Lamb

Second: Steve Bowman

Votes:

Ms. Durrer: Yes

Mr. Lamb: Yes

Mr. Bowman: Yes

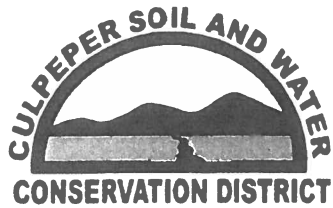
Mr. Herring: Yes

Ms. Heflin: Yes


Marie Durrer, Chair

Attest:


Mark Taylor, Clerk



Culpeper Soil & Water Conservation District

Serving Culpeper, Greene, Madison, Orange, &
Rappahannock

351 Lakeside Drive
Culpeper, Va. 22701
(540) 825-8591 Culpeper
(540) 645-6624 fax
(540) 308-6301 Orange
(855) 616-1654 fax
(540) 948-7531 Madison

SERVICES AGREEMENT

Between The
CULPEPER SOIL AND WATER CONSERVATION DISTRICT
And The
COUNTY OF GREENE

This Agreement was entered into the 25th day of January, 2022 by and between the County of Greene, Virginia, hereinafter called the County, and the Culpeper Soil and Water Conservation District, Commonwealth of Virginia, hereinafter called the District. This agreement will be for a period of six months to commence the date of signing by both parties. Renewal shall be negotiated within the final 30 days of the contract.

The District will provide Services as requested by the County. Reimbursement by the County to the District will be made on a monthly basis at the flat rate of \$60.00 per hour of services rendered, plus travel relevant to service sites at \$0.585 per mile. The District will invoice the County at the end of each month with a detailed outline of services rendered and time spent. The County will reimburse the District within 30 days of invoice receipt.

Services to be provided include:

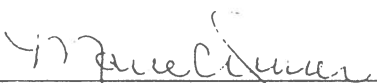
1. Review, comment and reevaluate, site development plans for compliance with Virginia's erosion and sediment control regulations (9VAC25-840) and stormwater management regulations (9VAC25-870) as reflected by County ordinances. Written comments and recommendations will be provided to the Greene County Program Authority. This will be done consistent with County process regarding concept, preliminary and full final site plans. This will include any plan revisions made at any time during a project;
2. Provide current soil and water conservation practice standards and specifications and stormwater management practice standards and specifications for erosion and sediment control and stormwater management to be used as a basis for land development plans on lands within the County;
3. Provide preliminary review and written comment to the Greene County Zoning Administrator on any projects involving rezoning or special use permitting by the County;
4. Attend preconstruction meetings as requested by the County;

5. Review any "as-built" plans submitted for stormwater management practices;
6. Provide staff training services for erosion control plan review and stormwater management plan review on an as requested basis;
7. Provide postconstruction inspection services on an as requested basis;
8. Respond to requests for technical assistance related to postconstruction stormwater BMP's on an as requested basis by the County; and
9. Assist in the development of policies, plans and ordinances for the conservation of soil, water, and related natural resources.

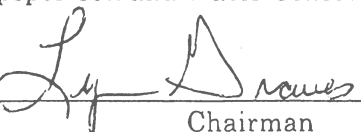
Requests by the County for services will be made on a timely basis by the County Administrator. All site plans to be reviewed and evaluated by the District for compliance with erosion and sediment control and stormwater regulations will be submitted to the District within 3 working days of submission to the County. All requests for comment on projects involving rezoning or special use permitting will allow a minimum of 10 working days for comment. All meetings relevant to policy and ordinance development will be scheduled a minimum of 10 working days prior to the event.

This agreement may be amended or terminated at any time by mutual consent of the parties hereto or may be terminated by either party by giving sixty (60) days notice in writing, to the other party.

County of Greene:

BY:  DATE: 1-25-22
Chairman, Board of Supervisors

Culpeper Soil and Water Conservation District:

BY:  DATE: 2/1/22
Chairman