

January 24, 2023

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, JANUARY 24, 2023, BEGINNING AT 4:30 P.M. IN PERSON IN THE COUNTY ADMINISTRATION BUILDING MEETING ROOM AND BY ZOOM VIDEO COMMUNICATION

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

Staff present: Brenda Garton, Interim County Administrator
Kelley Kemp, Assistant County Attorney
Kim Morris, Deputy Clerk
Jim Frydl, Director of Planning and Zoning
Terry Beigie, Grant Writer
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 reconfiguring the county's organizational structure, including, but not limited to, the utilities department and the finance department.
- 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 interim County Administrator's contract.
- 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 recruitment and selection of a County Administrator.

- Consultation with legal counsel employed or retained by the public body and briefings by staff members pertaining to actual or probable legal litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, regarding specific legal, namely, the litigation with RSA and the withdrawal agreement.
- Consultation with legal counsel employed or retained by the public body and briefings by staff members pertaining to actual or probable legal litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, regarding specific legal, namely, a breach of contract issue.
- Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.
- Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms of scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

WHEREAS, pursuant to: §2.2-3711(A)(1), (A)(3), (A)(7), and (A)(29) 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 Marie Durrer and unanimous roll call vote, the Board entered into Closed Meeting.

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

Motion carried.

RE: OPEN MEETING

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

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

Motion carried.

By unanimous roll call vote, members certified that only public business matters lawfully exempted from the open meeting requirement and only such matters as identified by the motion to enter into closed meeting were discussed.

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

Motion carried.

RE: PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

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

RE: ADOPTION OF AGENDA

Upon motion by Steve Bowman, second by Marie Durrer and unanimous roll call vote, the Board adopted 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

Ms. MacKenzie Heidelberg, District Coordinator from the Office of Abigail Spanberger, was present to introduce herself and offer their services to the County and its citizens.

Ms. Gwen Baker was present via Zoom to share her concerns with the Tourism Council. She said that there should be a member of the Board of Supervisors on the Council and that their meetings should be able to be viewed on the County's website. Ms. Baker said that she is still also waiting for the approval of their bylaws which goes back to 2021. She said that there are no term dates on the website and there are no treasurer's reports, all of which she believes should be there. She said the same goes for the Economic Development Authority.

RE: PUBLIC HEARING TO CONSIDER A REQUEST FOR A SPECIAL USE PERMIT FOR A HOME BUSINESS (COMMERCIAL BAKERY) AS PERMITTED UNDER ARTICLES 4-1-2.16 AND 22 OF THE GREENE COUNTY ZONING ORDINANCE LOCATED AT 3923 CELT ROAD, STANARDSVILLE WITH TMP# 48-(A)-27

Mr. Frydl shared the request for a Special Use Permit for a home business (commercial bakery) from Javan and Nora Esh located at 3923 Celt Road, Stanardsville, VA. He said that this request was previously approved by the Board at a different location. Mr. Frydl shared a map of the location, the zoning map, the land use map and photos of the property. The Planning Commission recommended approval 5-0 with conditions that the commercial bakery shall be located in the exiting detached accessory structure, the home business shall be only a wholesale operation without customer traffic to the location and the hours of operation will be Monday through Friday, 7am to 5pm.

After some discussion by the Board, the public hearing was opened and closed with no comments.

Upon motion by Davis Lamb, second by Marie Durrer and unanimous roll call vote, the Board approved the request for special use permit as presented. (See Attachment "A")

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

Motion carried.

RE: CONSENT AGENDA

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

- a. Minutes of previous meetings
- b. Resolution to accept and appropriate \$21,300.00 for the Virginia Circuit Court Records Preservation Program Item Conservation Grant (See Attachment "B")
- c. Request from Commissioner of Revenue for refund of real estate and personal property tax in the amount of \$2,909.07 (See Attachment "C")
- d. Addendum to Interim County Administrator's Employment Agreement to extend appointment (See Attachment "D")
- e. Resolution to appoint local citizens to serve on the Agricultural and Forestal District Advisory Committee (See Attachment "E")
- f. Authorization of remote participation of County Administrator for the April 25, 2023 Board of Supervisors meeting – Brenda Garton, Interim County Administrator

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

Motion carried.

RE: APPROPRIATE \$12,889.74 FROM THE FOREST SUSTAINABILITY GRANT AND GIVE DIRECTION ON HOW THE GRANT FUNDS ARE TO BE SPENT

The Commissioner of Revenue applied for funding through the Virginia Department of Forestry's Forest Sustainability Fund for Local Government. The General Assembly established the Forest Sustainability Fund in 2022 for localities to apply for an allocation from the fund to help offset lower, or forgone, tax revenue for property that is within forestry land use. Localities shall submit annually by November 15 to receive funding.

Greene County was notified in December that it qualified for an allocation of \$12,889.74 to offset the lost revenue amount of \$934,651.17. Virginia Code section § 58.1-3242.1 requires the funding to be utilized for public education generally or for projects related to outdoor recreation or forest conservation.

In October 2022, the Board of Supervisors accepted and allocated a \$7,500.00 grant from Sentara Healthcare toward the creation of a fitness trail within the Greene County Community Park. That funding allows for the purchase of a knee lift station, a body curl station, a bench dip station, and a push-up station, but there are other additional pieces of equipment the department had hoped to purchase to complete the trail. It is the recommendation of staff that the \$12,889.74 in Forest Sustainability Fund monies be used to expand the offerings for the trail, as well as cover the cost of installation of the new equipment and any mulching that may need to be purchased for the course.

Upon motion by Steve Bowman, second by Davis Lamb and unanimous roll call vote, the Board approved the resolution as presented. (See Attachment "F")

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

Motion carried.

RE: AUTHORIZATION TO APPLY FOR FY22 FEMA SAFER HIRING GRANT FOR FIRE FIGHTERS

Upon motion by Mr. Bowman, second by Marie Durrer and unanimous roll call vote, this item was tabled until the next grant cycle opens.

Mr. Bowman explained that he made this motion because, At the Emergency Services Advisory Board meeting on the 17th of this month, the ESAB voted to recommend not submitting for a grant at this time. They also made the recommendation that the County fill the Fire Chief position and ask the Chief to recommend a plan of action going forward. Also, just this afternoon, the Ruckersville Fire Company Chief sent a communication to the County withdrawing the company's request for career staffing. This email was to Brenda Garton, Interim County Administrator, from Fire Chief Enoch Hoard of the Ruckersville Volunteer Fire Company and it stated that, "This email is to inform you and the county supervisors that Ruckersville Volunteer Fire Company wishes to withdraw its request for career staffing, a request made by our former Chief David Morris." Chief Hoard goes on to explain his rationale for doing so. Mr. Bowmans said that, because we already have money in the budget for the fire chief, he believes the County could have a fire chief on staff within a few months.

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

Motion carried.

RE: REQUEST BY EMERGENCY SERVICES ADVISORY BOARD TO APPROVE A
RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPOINT
MEMBERS TO THE SITE SELECTION AND FINANCE COMMITTEES FOR THE PUBLIC
SAFETY COMPLEX

Mr. Bowman spoke on behalf of the ESAB to ask the Board to appoint a Site Selection and a Finance Committee for the proposed public safety complex. He explained that, currently, fire, EMS, law enforcement and Emergency Management have no where to train and must leave the County to do so. He said that recruitment of new personnel is hampered by the lack of a training resource. Mr. Bowman said that the Sheriff's Office and 911 Center are located in a very old building that was once a grocery store. He said that the building lacks modern security elements. He said that the County has no EOC and also needs an EMS station in Ruckersville. The ESAB is requesting that the Board appoint a Finance group and a Site Selection group, fund the design and land acquisition and authorize a meeting with the architectural group that was recommended by Major Consulting. Mr. Bowman said that this project could be broken into four phases which would be:

- Phase 1 – Appoint two committees/groups with tasks
- Phase 2 – Formal Complex Design
- Phase 3 – RFP/Contract/Construction
- Phase 4 – Construction of additional components

Sheriff Smith said that his office was a grocery store and is not adequate for a law enforcement agency. He said that they've needed a new building for a long time. He said that he has been asking for a firing range for years. He said that his deputies have to go to Madison or Harrisonburg to train.

Ms. Meador echoed what the statements of Mr. Bowman and Sheriff Smith. She said that fire personnel have to go to Orange County or Albemarle County to train which takes volunteers and apparatus out of the County for hours at a time.

Chief Dusty Clay said that having to train outside of the County also adds fuel costs to the volunteer agencies and leaves the County short-staffed.

The Board agreed that the facilities are needed.

Upon motion by Steve Bowman, second by Abbey Heflin and unanimous roll call vote, the Board approved the resolution as presented. (See Attachment "G")

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

Motion carried.

RE: APPROVE RESOLUTION FOR VDOT RECOMMENDED SAFETY IMPROVEMENTS AT THE INTERSECTION OF ROUTES 29 AND 609

Mr. Frydl was present to answer some of the questions that the Board had asked of VDOT during their last meeting regarding the safety improvements at the intersection of Routes 29 and 609. VDOT recommended installing an RCUT intersection in order to reduce crashes and injuries. RCUTS have been proven to greatly increase safety. The installation at this intersection can be accomplished this year using local district funds. He said that other solutions will continue to be explored, but those solutions would have to be reviewed as Smartscale Projects which are highly competitive, long-term projects that, if awarded, would not be scheduled to at least six years. Mr. Frydl shared slides showing the proposed intersection and crash data. He said that, if approved by the Board, this project would start in the summer and would likely be completed very quickly.

Mr. Bowman said that he is all for any safety measures that keep crashed from occurring and he will support this resolution. Mr. Lamb and Ms. Durrer concurred. Ms. Heflin said that she is skeptical, but truly hopeful that this will help. Mr. Herring agreed with the comments from other Board members and said that if this could potentially help to save a life, the Board has to take this step.

Upon motion by Steve Bowman, second by Davis Lamb and unanimous roll call vote, the Board approved the resolution as presented. (See Attachment "H")

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

Motion carried.

RE: AUTHORIZE THE ADVERTISEMENT OF A PUBLIC HEARING REGARDING A
TOT REGISTRY

Mr. Frydl said that he is looking for guidance from the Board as to how to proceed with the proposed TOT registry. He said that staff's recommendation follows that of the Planning Commission in that they believe the best plan for now is to take some time to see if the newly approved State code section from the legislature gives the Board the information that they seek. The Planning Commission did come up with the language that would go into the Zoning Ordinance if the Board chooses to move forward and advertise a public hearing.

Ms. Heflin asked if the data that is now required due to the new law that was passed is being sent to the Commissioner of Revenue's office. Mr. Frydl said that it is.

Mr. Bowman asked what can be done with those that don't want to share their information. Ms. Kemp said that there is a proposed bill in the General Assembly that would address that issue. Ms. Tate said that there was hesitancy because they wanted to protect the privacy of the Airbnb owners, but they are now sending a monthly audit request and she has received one report at this time. Ms. Tate said that her office has been receiving more payments than in the past.

Mr. Lamb asked how a citizen could do away with an SUP that goes with their property. Mr. Frydl said that the cleaner thing would be to just not exercise the use so that the property owner would not have to pay for a SUP removal.

Ms. Heflin said that she does not mind waiting the six months to see what changes in the data there are, but she still feels that a registry is important. She wants the registry to be public for the citizens knowledge and also so that it could be used as a promotional item for tourism.

Mr. Bowman said that he is still in favor of the registry but he understands the reasoning behind waiting for six months.

Upon motion by Steve Bowman, second by Marie Durrer and unanimous roll call vote, the Board moved to table the discussion of a TOT registry for six months to see if the changes in the legislature improves the amount of information the County receives.

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

Motion carried.

RE: RESOLUTION RE-AUTHORIZING THE CHAIR TO SIGN THE VRA CONSENT AGREEMENT ONCE STAFF AND LEGAL COUNSEL HAVE FINALIZED THE DOCUMENT

Ms. Kemp said that there is an amendment that VRA wanted put in the Consent Agreement for Greene's withdrawal from the RSA. She said that the additional language basically says that the County agrees to indemnify VRA if they are sued in the future over this separation.

Mr. Bowman said that he sees this as another step in Greene's extraction from the RSA, so he will support it. Mr. Lamb and Ms. Durrer agreed.

Upon motion by Steve Bowman, second by Davis Lamb and unanimous roll call vote, the Board agreed to reauthorize the Chair to sign the VRA consent agreement with the proposed changes. (See Attachment "I")

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

Motion carried.

RE: BOARD LIAISON REPORTS

Ms. Durrer said that she attended the Central Virginia Regional Jail meeting and they were told that there would be no increase in the fees for the localities.

Mr. Bowman said he attended the Jaunt meeting where they reviewed the Transit Development Plan which is now available as a draft on Jaunt's website. They will continue with review of the document at their next meeting on February 8th. He said that there will be an increase in the budget request of Greene. He said that he attended the School Board meeting and that Todd Sansom remains Chair and Sharon Mack is Vice Chair. They shared a calendar of their meetings for the year. There was an impressive presentation from the Ruckersville Elementary school and another presentation on alternative education. He said that their kickoff budget meeting will be tomorrow evening. He said that they also discussed an expansion to the Tech Center because of the dire need for trades workers. Mr. Bowman also said that he attended the Planning Commission meeting on the 18th. He said that Chair is Ron Williams and the Vice Chair is Mike Traber. He said they reviewed the Comprehensive Plan and will hold a public hearing at their next meeting followed by a work session with the Board. He said that he felt it was worth mentioning that he has learned that the Planning Department does a lot of work that the Board does not see. He said that the Town of Stanardsville has elected a new Mayor, Michael Payne and a new Council member, Kevin Kelly. Lastly, Mr. Bowman said that he attended the RSA meeting and the discussion centered around the departure of Mr. Lunsford. Mr. Bowman said that he made it very clear that this did not change anything with the withdrawal.

Mr. Herring said that he ESAB met last Tuesday and they voted no to applying to the Safer Grant and they voted yes to move forward with the hiring of a fire chief which is already in the

budget. He said that the TJPDC discussed petitioning the legislators to be able to hold public meetings virtually. He said that a lot of meetings had better attendance when they were held virtually.

RE: COUNTY ADMINISTRATOR REPORT

Ms. Garton said that Mr. Lunsford submitted his resignation effective February 17th and that she immediately designated Mr. Frydl to be the Interim Director of Water and Sewer once Greg leaves until such time as the position is filled. She said that he is the most knowledgeable person on staff, on both the history of this water and sewer transition, as well as what's going on right now, and he will be working closely with Mr. Lunsford over the next few weeks to make sure he's up to speed on everything that's happening. Ms. Garton thanked Greg for all the work he's done with regard to the RSA transition up to this point and wished him all wonderful things as he moves on. Ms. Garton said that we have executed the contract with Baker Tilly for the pay study for the County and that we have provided almost all the requested documents. Meetings with staff will be scheduled in the very near future. She said that we've also executed a separate contract with a different division of Baker Tilly to do the County Administrator search. The position brochure is available online and applicants have to go through the Baker Tilly process in order to be considered. Ms. Garton said that we had scheduled the audit presentation from Robinson, Farmer, Cox to be at tonight's meeting, but no one at the sufficient level in the firm was available to attend, so that presentation got pushed to the February 14th meeting.

Mr. Bowman commented that Ms. Garton does an excellent job and thanked her for all of the work she is doing.

RE: OTHER ITEMS FROM THE BOARD

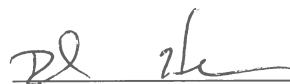
Ms. Heflin asked Mr. Frydl how someone from the public could request a copy of the registry information. Mr. Frydl explained the FOIA process and said that his office would provide any information available that is not protected.

RE: ADJOURN

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

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

Motion carried.



Dale Herring, Chair
Greene County Board of Supervisors



Brenda G. Garton, Clerk
Greene County Board of Supervisors

AN ORDINANCE (O-2022-016) GRANTING A REQUEST FOR A SPECIAL USE PERMIT (SUP#22-005) TO JAVAN AND NORA ESH REQUEST A SPECIAL USE PERMIT FOR A HOME BUSINESS (COMMERCIAL BAKERY) AS PERMITTED UNDER ARTICLES 4-1-2.16 AND 22 OF THE GREENE COUNTY ZONING ORDINANCE. THE PARCEL IS IDENTIFIED AS TMP# 48-(A)-27 AND IS LOCATED AT 3923 CELT ROAD. THE GREENE COUNTY FUTURE LAND USE MAP DESIGNATES THIS PARCEL AS "RURAL AREA. " (SUP#22-005)

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

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

WHEREAS, on December 21, 2022, the Greene County Planning Commission held a public hearing on this matter, and all of those who spoke on this topic were heard; and

WHEREAS, on December 21, 2022, the Greene County Planning Commission voted 5-0 to recommend to the Board of Supervisors approval of the request to grant the Special Use Permit (SUP); and

WHEREAS, the Greene County Board of Supervisors caused to be published a notice of public hearing on this matter in the Greene County Record on January 12, 2023, and January 19, 2023; and

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

WHEREAS, on January 24, 2023, the Greene County Board of Supervisors held a public hearing on this matter, and all of those who spoke on this topic were heard.

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

1. Failure to comply with the conditions of this SUP may result in the issuance of a Notice of Violation (NOV) by the zoning administrator. The Zoning Administrator may present this SUP to the Board of Supervisors for revocation if the NOV is not resolved as directed.
2. All activities associated with this SUP shall be in compliance with all local, state, and federal laws.
3. The home business, commercial bakery, shall be located in the existing detached accessory structure, being in general accord with the concept plan.
4. The home business shall be only a wholesale operation without customer traffic to the location.
5. The hours of operation will be Monday through Friday, 7 AM to 5 PM.

ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON JANUARY 24, 2023.

Motion: Davis Lamb
Second: Marie Durrer

Votes:

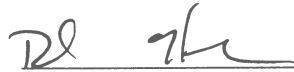
Durrer Yes

Lamb: Yes

Bowman: Yes

Heflin : Yes

Herring: Yes



Dale Herring, Chair
Greene County Board of Supervisors

ATTEST:



Brenda Garton, Interim Clerk
Greene County Board of Supervisors

**RESOLUTION TO ACCEPT AND APPROPRIATE TWENTY-ONE
THOUSAND THREE HUNDRED DOLLARS FOR THE VIRGINIA
CIRCUIT COURT RECORDS PRESERVATION PROGRAM ITEM
CONSERVATION GRANT**

WHEREAS, the Library of Virginia has awarded the Greene County Circuit Clerk's Office funding through its Virginia Circuit Court Records Preservation Program; and

WHEREAS, the funds in the amount of twenty-one thousand three hundred dollars (\$21,300.00) need to be accepted and appropriated to the correct line item in the 2022-2023 budget of the County of Greene, Virginia.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia twenty-one thousand three hundred dollars (\$21,300.00) be appropriated to the 2022-2023 budget of the County of Greene.

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

Adopted this 24th day of January, 2023.

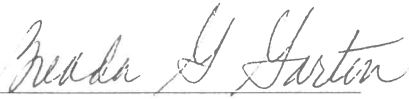
Motion: Steve Bowman
Second: Abbey Heflin

Recorded Vote:

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



Dale Herring, Chair
Greene County Board of Supervisors

ATTEST: 

Brenda G. Garton, Clerk
Greene County Board of Supervisors

Greene County Commissioner's Office

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

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

Date: December 30, 2022

TO: Greene County Board of Supervisors

FROM: Kimberly Tate, Commissioner of Revenue

RE: Refund Request of \$2,909.07

Taxpayer submitted qualifying paperwork as a disabled veteran which initiated a partial abatement for 2021 and full abatements for 2022. This resulted in an overpayment of \$2,909.07 for which a refund is due.

ADDENDUM TO EMPLOYMENT AGREEMENT

WHEREAS, on September 27, 2022 Greene County and Brenda Garton entered into an "Employment Agreement" whereby Brenda Garton was employed as the Interim County Administrator for Greene County; and

WHEREAS, having just hired Baker Tilly to conduct a search for a new County Administrator, The Board expects such search to last at least three to four months; and

WHEREAS, the parties wish to extend the term of the Employment Agreement,

BE IT THEREFORE RESOLVED ON JANUARY 24, 2023 THAT THE PARTIES AGREE AS FOLLOWS:

1. The "Term" of the Employment Agreement is hereby extended to expire on September 30, 2023, and
2. The Employment Agreement may be terminated prior to September 30, 2023 upon the mutual agreement of the parties and in accordance with other provisions in the original contract, and
3. This extension of the original Employment Agreement is contingent upon approval by the Virginia Retirement System (VRS).

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

BOARD OF SUPERVISORS of GREENE COUNTY

By: _____
Dale Herring, Chair

_____
Brenda G. Garton, Employee

**A RESOLUTION TO APPOINT LOCAL CITIZENS TO SERVE ON THE AGRICULTURAL AND FORESTAL
DISTRICT ADVISORY COMMITTEE**

WHEREAS, §15.2-4000 of the Code of Virginia, allows for the creation of Agricultural and Forestal Districts (AFD's)

WHEREAS, the Greene County Board of Supervisors first established AFD's for Greene County on March 6, 1982; and

WHEREAS, §15.2-4311 of the Code of Virginia, and Appendix B, Article II of the Greene County Code of Ordinances, require the review of existing AFD districts a minimum of every 4 years; and

WHEREAS, the Greene County Board of Supervisors last reviewed the AFD districts on May 14, 2019 and adopted the changes recommended by the AFD Advisory Committee and the Greene County Planning Commission; and

WHEREAS, §15.2-4304 of the Code of Virginia requires that the governing body select qualifying citizens to be members of the AFD Advisory Committee; and

WHEREAS, the committee shall consist of four landowners who are engaged in agricultural or forestal production, four other landowners of the locality, the commissioner of revenue or the local government's chief property assessment officer, and a member of the local governing body; and

WHEREAS, the citizens meeting the requirements and demonstrating both knowledge and willingness to serve on the committee are attached in Appendix A;

NOW, THEREFORE, BE IT RESOLVED, that the Greene County Board of Supervisors hereby appoints the citizens listed in Appendix A to serve as members of the AFD Advisory Committee for the 2023 review of the AFD Districts.

ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON JANUARY 24, 2023.

Motion: Steve Bowman

Second: Abbey Heflin

Votes:

Bowman: Yes

Durrer: Yes

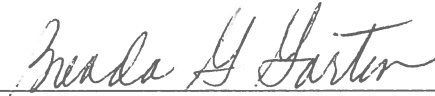
Heflin: Yes

Herring: Yes

Lamb: Yes



Dale Herring, Chair
Greene County Board of Supervisors

ATTEST: 

Brenda Garton, Clerk
Greene County Board of Supervisors

2023

[illegible]

**RESOLUTION TO ACCEPT AND APPROPRIATE TWELVE THOUSAND
EIGHT HUNDRED EIGHTY-NINE DOLLARS AND SEVENTY-FOUR
CENTS FOR THE VIRGINIA DEPARTMENT OF FORESTRY'S FOREST
SUSTAINABILITY FUND ALLOCATION**

WHEREAS, the Virginia Department of Forestry has awarded the County of Greene funding through its Forest Sustainability Fund; and

WHEREAS, the funds in the amount of twelve thousand eight hundred eighty-nine dollars and seventy-four cents (\$12,889.74) need to be accepted and appropriated to the correct line item in the 2022-2023 budget of the County of Greene, Virginia.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia twelve thousand eight hundred eighty-nine dollars and seventy-four cents (\$12,889.74) be appropriated to the Department of Parks and Recreation's 2022-2023 budget of the County of Greene.

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

Adopted this 24th day of January, 2023.

Motion: Steve Bowman
Second: Davis Lamb

Recorded Vote:
Steve Bowman Yes
Marie C. Durrer Yes
Abbey Heflin Yes
Dale R. Herring Yes
Davis Lamb Yes



Dale Herring, Chair
Greene County Board of Supervisors

ATTEST: 

Brenda G. Garton, Clerk
Greene County Board of Supervisors

**RESOLUTION APPOINTING COMMITTEES
FOR THE PUBLIC SAFETY COMPLEX & TRAINING FACILITY**

WHEREAS, the Emergency Services Advisory Board (the “ESAB”) is an official advisory board to the Greene County Board of Supervisors; and

WHEREAS, the ESAB has established a Public Safety Complex and Training Facility Committee (the “Committee”) to begin discussions on public safety space needs and training needs of Greene County; and

WHEREAS, the purpose of the Committee is to explore the need for a facility that would allow personnel to train in the county and house law enforcement, fire services, emergency medical services, emergency management, emergency communication and an emergency operations center; and

WHEREAS, discussions of the Committee have led to the determination that two additional committees are needed to investigate the location and financial aspects of the project; and

WHEREAS, the two additional committees shall be appointed by the Interim County Administrator;

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Greene County, Virginia, that a Site Selection Committee and a Finance Committee be appointed by the Interim County Administrator to continue specific research pertaining to a Greene County Public Safety Complex and Training Facility.

ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVIORS ON JANUARY 24, 2023.

Motion: Steve Bowman

Second: Abbey Heflin

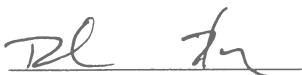
Herring: Yes

Durrer: Yes

Bowman: Yes

Heflin: Yes

Lamb: Yes



Dale Herring, Chair
Greene County Board of Supervisors

ATTEST: 

Brenda G. Garton, Clerk
Greene County Board of Supervisors

A RESOLUTION TO SUPPORT VDOT SAFETY IMPROVEMENTS RECOMMENDED FOR RT 29/RT 609

WHEREAS, the Greene County Board of Supervisors asked VDOT to review the intersection of RT 29/RT 609 and recommend safety improvements; and

WHEREAS, VDOT reviewed the existing conditions and recommended an RCUT intersection to reduce crashes at the intersection; and

WHEREAS, RCUT intersections have been proven to significantly reduce accidents, injuries and deaths; and

WHEREAS, the VDOT can begin this project as soon as summer 2023; and

WHEREAS, the Greene County Board of Supervisors and VDOT are committed to continue to study additional safety improvements and evaluate potential long-term intersection improvements; and

NOW, THEREFORE, BE IT RESOLVED, that the Greene County Board of Supervisors hereby supports VDOT's recommendation to install an RCUT intersection at RT 29 and Rt 609 as depicted in the safety improvement plan.

ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON JANUARY 24, 2023.

Motion: Steve Bowman

Second: Davis Lamb

Votes:

Bowman: Yes

Durrer: Yes

Heflin: Yes

Herring: Yes

Lamb: Yes

DH DL

Dale Herring, Chair
Greene County Board of Supervisors

ATTEST:

Brenda G Garton

Brenda Garton, Clerk
Greene County Board of Supervisors

**Board of Supervisors of Greene County
January 24, 2023 Regular Meeting
Consent Agreement with VRA**

RESOLUTION

**A RESOLUTION APPROVING THE CONSENT AGREEMENT WITH VIRGINIA
RESOURCE AUTHORITY AND GRANTING AUTHORITY TO THE CHAIR OF THE
BOARD OF SUPERVISORS TO ENDORSE SAID CONSENT AGREEMENT AND
COMPLETE THE WITHDRAWAL PROCESS**

WHEREAS, Rapidan Service Authority (“RSA”) is an authority established and operating under the Virginia Water and Waste Authority's Act, Virginia Code § 15.2-5100 et seq. Greene County and the Counties of Orange and Madison are member counties of RSA pursuant to § 15.2-5102 and by concurrent resolutions adopted in June, 1969; and

WHEREAS, on July 28, 2020, the Board of Supervisors of Greene County adopted a Resolution calling for the Board of Supervisors of Orange and Madison to consent to Greene's withdrawal from RSA pursuant to Va. Code § 15.2-5112; and

WHEREAS, on April 13, 2021, the Orange Board of Supervisors and the Madison Board of Supervisors each adopted resolutions consenting to Greene's withdrawal from RSA pursuant to Va. Code § 15.2-5112; and

WHEREAS, on May 25, 2021, Orange County and Madison County entered into a Memorandum of Agreement/Withdrawal of Greene County, Virginia from Rapidan Service Authority. This Memorandum of Agreement providing for the governance and operation of RSA after Greene's withdrawal; and

WHEREAS, in a letter dated October 29, 2021, Virginia Resource Authority (“VRA”) conditionally consented to the withdrawal of Greene County from RSA under certain conditions; and

WHEREAS, on June 14, 2022, Greene County, Orange County, Madison County, and RSA entered into a Withdrawal and Transition Agreement setting forth the terms and conditions by which Greene County will withdraw from RSA, including but not limited to the transfer of facilities and equipment from RSA to Greene County and the transition of water and sewer services for the residents of Greene County; and

WHEREAS, one of the conditions of the Withdrawal Agreement is that Greene will submit a request to VRA for final approval of Greene's withdrawal from RSA and Greene shall provide evidence reasonably satisfactory to confirm VRA's final approval of the withdrawal; and

WHEREAS, Greene County has met the terms of VRA’s conditional approval of withdrawal, including but not limited to, establishing a water and sewer department, hiring water

and sewer operators, and drafting and passing a water and sewer ordinance including a rate structure; and

WHEREAS, Greene County has completed substantial parts of the withdrawal process and is prepared to complete said process by drafting deeds for the transfer of land, is ready to request a Certificate of Withdrawal from the State Corporation Commission and is ready to receive a transfer of all water and wastewater permits issued by the Department of Health and the Virginia Department of Environmental Quality once it is appropriate to do so; and

WHEREAS, Greene County, once it is appropriate to do, will request that VRA give final approval to the Consent Agreement drafted by VRA based on Greene County's demonstrated preparedness to withdraw from RSA and assume all responsibilities associated with running a water and sewer system; and

WHEREAS, the Greene County Board passed a similar Resolution on December 13, 2022, however recent substantive changes have been made to the Consent Agreement; and

WHEREAS, the Greene County Board of Supervisors wants to state its commitment to running a water and sewer system and its support for this Consent Agreement and completing the withdrawal process.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors does hereby approve the Consent Agreement attached hereto as Exhibit A and all of its Recitals and Terms.

BE IT FURTHER RESOLVED that the Board authorizes the Chair and the County Administrator, with the concurrence of the County Attorney, to facilitate its implementation to execute any appropriate documents and make any revision to the Consent Agreement that may be necessary.

BE IT FURTHER RESOLVED that County staff is directed to take all appropriate actions to complete all elements of the withdrawal and finalize the Consent Agreement with VRA.

BE IT FURTHER RESOLVED that County staff is directed to finalize the transfer of permits with the Virginia Department of Health and the Department of Environmental Quality when it is appropriate to do as per the Consent Agreement.

BE IT FURTHER RESOLVED that the County staff is directed to obtain and finalize certification from the State Corporation Commission ratifying the withdrawal.

BE IT FURTHER RESOLVED that the Board of Supervisors does hereby authorize the Chair of the Board to endorse the Consent Agreement on behalf of the entire Board of Supervisors.

Adopted: January 24, 2023



Dale Herring, Chair

ATTEST:



Brenda Garton, Clerk
Board of Supervisors