

August 14, 2012

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, AUGUST 14, 2012, AT 5:30 P.M. IN THE COUNTY MEETING ROOM.

Present were: Clarence Peyton, Chairman
Davis Lamb, Vice Chairman
David Cox, Member
Eddie Deane, Member
Jim Frydl, Member
Ray Clarke, County Attorney
Patti Vogt, Deputy Clerk
Tracy Morris, Finance Director

RE: EXECUTIVE SESSION

Upon motion by Davis Lamb and affirmative vote, the Board entered into Executive Session to discuss legal and personnel matters pursuant to Section 2.2-3711 Subsection (a, 1-7) of the Code of Virginia.

Contract Matters:

- Water and Sewer
- Jefferson-Madison Regional Library

Land Acquisition:

- Water and Sewer

Legal:

- Pending litigation

Personnel:

- Administration
- Law Enforcement
- IRS
- Social Services

Various Appointments:

- TJEMS Council
- Hazardous Materials Officer
- Region Ten

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Absent
	Eddie Deane	-	Yes
	Jim Frydl	-	Absent

Motion carried.

Upon motion by Davis Lamb and unanimous vote, the Board returned to Open Session.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

By unanimous vote, all 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 Executive Session were discussed.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

RE: APPOINTMENT TO THOMAS JEFFERSON EMERGENCY SERVICES COUNCIL

Upon motion by David Cox and unanimous vote, the Board appointed Melissa McDaniel to the Thomas Jefferson EMS Council.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

RE: APPOINTMENT AS HAZARDOUS MATERIALS OFFICER

Upon motion by Eddie Deane and unanimous vote, the Board appointed Melissa McDaniel as Hazardous Materials Officer.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

RE: APPOINTMENT TO REGION TEN COMMUNITY SERVICES BOARD

Upon motion by Jim Frydl and unanimous vote, the Board appointed Vicki Strauss to the Region Ten Community Services Board.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

RE: INTERNAL REVENUE SERVICE

Upon motion by Davis Lamb and unanimous vote, the Board approved a payment to the Internal Revenue Service in the amount of \$26,120 for the correction of taxes.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

RE: PUBLIC MEETING

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

RE: COMMONWEALTH ATTORNEY – REQUEST TO FILL VACANT POSITION

Mr. Ron Morris, Commonwealth Attorney, was present to request authorization to fill the vacant position of part-time Commonwealth Attorney position in his office. A grant covers 20 hours per week. The County covers the additional 12 hours for this position.

Upon motion by Jim Frydl and unanimous vote, the Board authorized Mr. Morris to fill the vacant position in his office.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

RE: PARKS AND RECREATION – RFP FOR STORM WATER MANAGEMENT PLAN

Mr. Julius Bates, Recreation Director, was present to request authorization to advertise a request for proposals for a storm water management plan for the Community Park. Estimated cost is \$10,000. The Board allocated \$76,000 to FY 2013. The Plan will be for the basketball court which Mrs. Ethyle Giuseppe has indicated she would donate.

Upon motion by David Cox and unanimous vote, the Board approved the advertisement of request for proposals for a storm water management plan for the Community Park.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

RE: GREENE COUNTY TOURISM – USE OF COMMUNITY PARK FOR FESTIVALS

Mr. Tony Williams, Economic Development Director, was present to discuss the request from Greene County Tourism to use the Greene County Community Park for the annual chili cook off and wine festivals. The festivals draw people to the County and increase revenues for local businesses.

Mr. Williams commented on the amenities available at the Park. He noted Sheriff's deputies are on site at these events.

Mr. Peyton said the main question was serving alcohol on County property. He also asked if the Park would be closed to visitors during the festivals. Mr. Williams said the Park would be closed and there would be an admission fee for the festivals.

Mr. Frydl said, on the advice of the attorney, the County will need to be named as an additional insured by vendors.

Mr. Peyton said he likes the idea but wants to be cautious not to place any undue liability on the County

Upon motion by Jim Frydl and unanimous vote, the Board approved the use as requested by Greene County Tourism of the Community Park for festivals subject to contract approval by the County Attorney.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

RE: METROPOLITAN PLANNING ORGANIZATION

Mr. Svoboda briefly reviewed responses received from Mr. Steve Williams, Executive Director of TJPDC, regarding the MPO.

· Voting or Non-voting member? This is something the MPO Policy Board would need to decide. The discussion that has taken place so far is that new members (Greene and Fluvanna) should be non-voting for some period of time and become voting at some later date. Have not heard any specific discussion of what the time period should be. It could be the MPO Policy Board would like a suggestion from Greene about what you think is appropriate.

· What weight does the input of the non-voting members have? There are currently 5 non-voting members (UVa, JAUNT, Charlottesville Transit, our citizen representative and TJPDC). The non-voting members participate freely in discussion and the MPO Policy Board listens to the non-voting members. But in the end think they vote based on the localities they represent.

· When would Greene become a voting member? As noted above, that would depend on the decision of the MPO Policy Board.

· Will the county be obligated to contribute dollars to projects in the future? That has not been the case in the past. Receive sufficient funding through federal and state funding to maintain the MPO.

· Will GC Transit be required to participate? As a small rural transit provided the understanding is that their participation would be optional. Recommend that GC Transit make their own decision on whether they want to participate or not.

· Is yes, what would the impacts for GC Transit System? Virtually none. It would not change their operation or funding. They would still make operational decisions and federal funding would continue to be determined by Department of Rail and Public Transportation based on existing formulas. Might need to incorporate their funding into MPO Transportation Improvement Program, but that is something done in coordination with DRPT.

· If Greene Co does join the MPO, what does it take to withdraw in the future if necessary? The MPO Planning area boundaries are set by actions of the MPO and the Governor. If Greene County wanted to withdraw, it would be the same process – action by the MPO Policy Board and approval by the Governor. Have been working for MPOs for 30 years and have never seen a local government withdraw. Have worked four MPOs with many local government members and all have viewed membership in the MPO as a positive for their locality.

· If Greene County does not join the MPO at this time, when is the next opportunity to join? The next opportunity to join would be in 2022 years, after the 2020 Census and identification of the urbanized areas. Based on the existing formulas, Greene County was within ½ mile of being required to join after this census. Given existing patterns of development we believe that Greene County will be required to join in 2022.

· When will the MPO transportation plan be updated again? Updated every five years. In the process of updating the Long Range Transportation Plan and expecting to adopt in May 2014. That is probably sufficient lead time to incorporate Greene County transportation needs into this update of the LRTP. Next update is scheduled to be complete five years after that – May 2019.

Mr. Frydl said Mr. Svoboda had estimated 150 hours of staff time. Also, a member of the Board of Supervisors and Planning Commission would be involved with the MPO.

Mr. Lamb commented on the Route 29 Bypass project. Mr. Williams, at the previous meeting, said the project is on track now.

Mr. Deane said the MPO has been in area since 1982 and one of the worst stretches of road on Route 29 from north to south is right in the Albemarle/Charlottesville area. He questioned what advantage the MPO has provided to them.

Mr. Frydl noted the County was just involved in a comprehensive study of Route 29 conducted by the State. There is a lot of current data on Route 29. Anything that is done will have to consider the northern terminus in Greene because it wouldn't make sense to do something and then end right back in a traffic jam.

The County has data on Route 29 that can be used and is good for a few years. The economy and building has slowed down to some extent. For the first seven years, Greene would be subject to the Plan that was already voted on prior to joining. Greene couldn't vote until 2019 on things that affects this area. Mr. Frydl agreed that Greene will grow enough to where there will be benefit/value and will probably be required to join in 2022. Mr. Frydl said, right now, for what Greene County will get considering what we've gotten, he did not see the value in the time

and staff commitment.

Mr. Deane agreed that Greene might have to join by 2022 and suggested we wait until we have to. Mr. Peyton also agreed saying we should wait until we are required to join. He said he thinks the most valuable and important service ever given to Greene is the transit program and he does not want the MPO or anyone else to incorporate that into a regional transit system for other counties. Mr. Peyton felt, for that reason in itself, Greene should stay clear of it.

Mr. Frydl said other counties might not care or interfere but regardless this would still add another layer of bureaucracy.

It was the consensus of the Board to decline to join the Metropolitan Planning Organization at this time.

RE: EMERGENCY SERVICES DRILL

Mr. Cox said Emergency Services, in conjunction with the Schools, Fire Departments, and Rescue Squad, are planning an emergency services drill on September 22. This is a great opportunity for training for all agencies involved. More details will be provided at a later date.

RE: CONSENT AGENDA

Upon motion by David Cox and unanimous vote, the Board approved the minutes of the July 24, 2012 meeting as circulated.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

RE: OTHER MATTERS FROM THE BOARD

TJPDC

Mr. Deane said TJPDC plans to have a meeting in Greene on October 4.

WORK SESSION

Mr. Lamb said he has talked with contractors/developers who suggested the Board have a work session where they can bring up concerns/changes. Anyone would be able to attend this work session to make the County better for businesses and citizens.

Mr. Frydl noted a work session for contractors was held last year that maybe 10 individuals attended. The amount of input was minimal. The EDA also sponsored a meeting and received a little more feedback.

Mr. Tony Williams said the EDA has been working on a brochure to address a lot of concerns.

Mr. Frydl felt the work session would be more successful if it were with the Board only. It would be healthier and more productive not to have staff present. The individuals could speak directly to the Board and it would avoid putting staff in an awkward position.

The Board discussed having a work session at a continued meeting or prior to a meeting.

RIVANNA RIVER BASIN COMMISSION

Mr. Frydl said the goal and main focus of RRBC now is SNAPPY, which is the nick name for a snapshot establishing a baseline of the existing conditions and health of the Rivanna River Basin to include Greene and surrounding counties. This could be used as basis to help with implementation of Federal regulations in regards to bay cleanup and also in regard to some DCR regulations. A baseline will allow the use of actual conditions as opposed to suggested/modeled conditions. The County could benefit in some situations.

SCHOOLS

Mr. Frydl referred to the State of the Schools report recently received which is an update of everything going on. This is in addition to requested quarterly reports and will be on an upcoming Board agenda.

COUNTY CODE – STREET NAMES

Mr. Frydl said, over the years, there have been different applications of the ordinance regarding assignment of street names. The current policy is names would not be assigned until three homes are located on the street. However, in practice, street names are being assigned under another section which states “.....shall have the authority to make minor adjustments and modifications to ensure a logical and efficient street address system.”

Mr. Frydl said he would like to have the language “cleaned up” by stating all roads, public or private, will be named for safety and for E911 purposes. This will avoid confusion. Mr. Deane agreed there is a discrepancy and it needs to be cleared up one way or the other.

The County Attorney will draft the proposed revision.

In response to a comment from a citizen, Mr. Peyton said the public will be given an opportunity to speak at a public hearing on the issue.

It was the consensus of the Board to schedule a public hearing on September 11, 2012.

VEHICLE FINANCING

Mrs. Tracy Morris, Finance Director, said she needs authorization to move forward with financing for vehicles. The terms are with SunTrust at 1.79% for 3 years with no payment due the first year.

It was the consensus of the Board to authorize the Finance Director to proceed with financing for vehicles.

LEGISLATIVE LIAISON

Mr. Peyton referred to an email received from Mr. David Blount, Legislative Liaison, stating localities should take the opportunity, early in this budget session, to review and start educating citizens on the possibility of continued State and Federal funding decreases which will actually result in the Board making decisions on whether to decrease services or raise taxes. Mr. Peyton reviewed a list of counties that increased taxes or reduced services this year. Most of those counties chose to increase property tax rates.

The County budget has decreased somewhat over the past several years. Last year the County increased its budget by 1.44%, which is very little money. Funding for the schools was reduced by \$545,000 in Federal funds and \$65,000 in State funds. Added to that was the \$1.5 million increase in funding requirement for the combination of VRS and GLI. The County was

fortunate to have the “rainy day fund” to dip into. Those funds are now allocated to certain areas that Mr. Peyton feels will be difficult to dip into again. The estimate from the ongoing reassessment looks like a 5% or more decrease in real estate values for the upcoming budget season which is better than predictions.

Mr. Peyton said the School Board has asked to meet with the Board regarding the budget. He said he did not think it is too earlier to start that dialogue. Planning is extremely important this year to avoid confusion when the proposed budget allocations are advertised. Mr. Peyton said he is looking for the Board of Supervisors and School Board to make a team effort and promote harmony so the County can move forward in a better atmosphere than last year.

Mr. Frydl said the School will be providing a quarterly update with budget information and news from Richmond. He suggested having the update presented at a meeting in order have a question and answer session.

Mr. Peyton said a meeting early in September has been suggested. He said a new budget is always based on actual expenditures from previous year and all departments do that except for the Schools. The Schools say they “give back” funds at the end of the fiscal year. If funds are “given back” then it means the allocations were too generous or over-stated. All of those things need to be considered. He would like to say: “tell us what you need and we’ll see what we can afford to give you”. On the other side, when we prepare a budget, the numbers should be based on new revenue not on wants.

Mr. Peyton noted the Board has already agreed on a reserve fund with a balance to keep on hand. This will need to be renegotiated during the next budget session. He suggested the Board looks at those issues and not wait until March.

Mr. Frydl said, according to the audit, virtually every department in the County “gives back” somewhere between 3 and 10% of allocated funds. He feels this is a function of government budgeting and does not point out good or bad spending habits.

RE: EXECUTIVE SESSION

Upon motion by Davis Lamb and unanimous vote, the Board entered into Executive Session to discuss legal and personnel matters pursuant to Section 2.2-3711 Subsection (a, 1-7) of the Code of Virginia.

Personnel:

- Administration

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

Upon motion by Davis Lamb and unanimous vote, the Board returned to Open Session.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

By unanimous vote, all 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 Executive Session were discussed.

Recorded vote:	Clarence Peyton	-	Yes
	Davis Lamb	-	Yes
	David Cox	-	Yes
	Eddie Deane	-	Yes
	Jim Frydl	-	Yes

Motion carried.

RE: CONTINUED MEETING

The meeting ended at 9:25 p.m. and was continued to Tuesday, August 28, 2012 at 5:30 p.m. in the County Meeting Room.



Clarence Peyton, Chairman
Greene County Board of Supervisors