

June 11, 2013

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, JUNE 11, 2013
AT 6:30 P.M. IN THE COUNTY MEETING ROOM.

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

RE: EXECUTIVE SESSION

Upon motion by David Cox 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.

Contract Matters:

- Water and Sewer

Land Acquisition:

- Water and Sewer

Legal:

- None

Personnel:

- Administration

Various Appointments:

- Rapidan Service Authority

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

Motion carried.

Upon motion by Clarence Peyton and unanimous vote, the Board returned to Open Session.

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

Motion carried.

RE: PUBLIC MEETING

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

RE: MATTERS FROM THE PUBLIC

MOUNTAIN LUMBER

Mr. Jim Morton - Willow Creek Subdivision - noise issue with Mountain Lumber Company – starts around 6:00 a.m. most every workday morning – noise was difficult to locate but narrowed to Mountain Lumber – it is not the same level of irritation at all surrounding locations – contacted Mountain Lumber to ask if they were doing something different – answer was yes – they moved work from Madison back to Greene – closed Madison down when economy got bad – manager was very kind and responsive – changes were made and it became more bearable – noise is intermittent and difficult to pinpoint – told by Mountain Lumber there was nothing else they can do – don’t know how to live with it – noise is causing lost sleep which really wears on you – Mountain Lumber agreed to not run equipment early on Saturday mornings – wanted to get information to Board of Supervisors so they know what is going on

Mr. Frydl asked if Mr. Morton heard the noise this morning. Mr. Morton said he did hear it this morning but it was very slight. Evidently, what Mountain Lumber does on a given day makes a difference in noise.

Ms. Leslie Velasquez – South Ridge Subdivision – reiterated comments – most of her neighborhood doesn’t hear noise – four houses up on hill are all disturbed by it – reverberation noise seems to be land oriented — parts of home are significantly worse than others – wanted to make public acknowledgement of problem – economy picking up and have heard rumors Mountain Lumber may be adding shifts and extending hours – she anticipates the problem will be worse

Mr. Frydl asked if Ms. Velasquez heard this noise this morning. Ms. Velasquez said the noise did not wake her up this morning but she did hear it around 7:30 a.m. - very quiet yesterday as well (with rain) – last week, almost every day, noise began promptly at 6:00 a.m. – wakes her up every morning

Ms. Monica Wang – South Ridge Subdivision – asked for help in solving noise problem – low, pounding noise – she works at home and finds it difficult due to the noise – starts at 6:00 a.m. and lasts sometimes to late at night – sometimes on weekend – noise bothers her a lot

Mr. Frydl asked if she heard the noise this morning. Ms. Wang said she did hear it but it was not too loud – noise is different – sometimes better, sometimes worse – unlivable – affects daily life and house value

Mr. Frydl noted Mrs. Tracy Morris, Finance Director, also lives in South Ridge Subdivision and hears the noise. Mr. Svoboda and Mr. Leake were out this morning prior to 6:00 a.m. to investigate. Mr. Frydl said he heard noise yesterday evening around 5:30 p.m. when he was out for a run. The noise seems to be coming from a pressure blower on site.

Mr. Lamb asked if buffering could help. Mr. Morton said Mountain Lumber has done some things but can't seem to resolve the issue in a constant, stable way.

Mr. Frydl said he works with this type equipment. The use of vibration pads and sound foam might help the noise problem.

RE: CONSENT AGENDA

Upon motion by Davis Lamb and unanimous vote, the Board approved the following items on the consent agenda:

- a. Minutes of May 28, 2013 meeting.
- b. Resolution authorizing acceptance of real estate and acquisition of additional real estate. (See Attachment "A")
- c. Resolution to approve Virginia Retirement System (VRS) member contribution rate for FY 2014. (See Attachment "B")
- d. Authorize Finance Director to proceed with financing for purchase of vehicles for FY 2014.

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

Motion carried.

RE: OTHER MATTERS FROM BOARD MEMBERS

WATER/SEWER FEES

Mr. Lamb said, in light of the work session on May 28, he feels the issue of water/sewer connection fees should be high priority. The current connector fees prohibit development of housing, businesses, and industrial growth.

Mr. Lamb suggested the Board appoint a committee to study issue of water/sewer connector fees and rates. Should the fees be meter based or usage based? The committee could also create a model where water/sewer would be self-supporting. He noted Article 1-3.7 of the

Zoning Ordinance states: “(The ordinance has been designed) to encourage economic development activities that provide desirable employment and enlarge the tax base.”

RIVANNA RIVER BASIN COMMISSION

Mr. Deane said he attended a meeting of the Rivanna River Basin Commission. RRBD is downsizing due to lack of resources. The next meeting will be in October.

Mr. Frydl said this is a sad reality of the times. There were no set funding sources for the agency. Ms. Middleton, Director, focused efforts and provided a lot of help to Greene in setting up storm water regulations and compliance with Chesapeake Bay regulations. Resources will still be available on the web site.

ROAD MAINTENANCE

Mr. Deane commented that conditions are horrible on Route 33 when it rains. Mr. Denunzio, Resident Administrator, is aware of the conditions. There are logs in ditches and trees on guardrails. Mr. Deane felt the Board should put pressure on VDOT to focus on the Route 33 corridor.

Mr. Cox said he will pass comments on to Mr. Denunzio when he meets with him regarding an issue on Welsh Run Road.

WATER/SEWER FEES

Mr. Peyton expanded on suggestion by Mr. Lamb. He felt the work session was really good and the Board got super good comments. Mr. Peyton said, during his tenure on the Board of Supervisors, he has never voted for any subdivisions. The primary reason was because he felt there was an insufficient water supply. He agreed that hookup fees are a deterrent to growth.

Mr. Peyton said he would be open to residential growth in designated areas, as the County acquires property for water impoundment. Franchises have more revenue to support startup costs. He believes the County should meet with the EDA to look at the current model, hookup fees, etc.

When the sewer plan was developed, it was believed the hookup fees would cover associated costs. It is clearly indicated now, that the County will have to draw down several million dollars annually to pay costs.

During the time when the economy was good, previous Boards were able to amass a surplus of around \$16 million. Unfortunately, the funds were never designated for certain projects in the CIP. From the public standpoint, it looked as if the County had a stash of funds to use however we wanted. The economy has been extremely poor over last several years. New revenue was less than \$1 million over two year period. Financial projections indicate that by the end of next fiscal year the reserve fund will not be in position to support increases as we have been allocating. Looking at drawing down \$4 million annually. The “piggy bank is broken” and there is nowhere to go.

Mr. Peyton thought the Board needs to put a sense of urgency on hookup fees. Thinks there should be reduction in fees for upfront contractor and a portion collected when a certificate of occupancy is issued. For businesses, Mr. Peyton felt the County needs to get away from hookup fees entirely and look at meter based system. He suggested perhaps the EDA could subsidize initial startup fees and then recoup some of that from taxation.

Mr. Peyton expressed his concern for the safety and wellbeing of citizens in the Ruckersville growth area during droughts. There are contingency plans for hauling water.

The bottom line is the County is going to have to do something with connector fees. The Gateway Center should be built-out if we want to bring in additional tax revenue.

Mr. Peyton went on to say he did not feel the County can continue "back filling" cuts from the State and Federal governments. There is just not enough money in Greene to fill those shortcomings.

Financial offices for school and county will need to come together soon to look at what the County can fund and consider the possibility of scaling back. What is important to student education? Can we make better use of PVCC? All these things need to be looked at.

Mr. Peyton said he has been where he thinks the County is heading and it needs to be nipped in the bud. The County needs a strategy to maintain financial stability. Continuing to live on reserve fund is not going to work.

Mr. Frydl commented that Greene County is part of the Rapidan Service Authority. The County will have to work on water/sewer issues from that angle.

RE: APPOINTMENT TO RAPIDAN SERVICE AUTHORITY

Upon motion by David Cox and unanimous vote, the Board appointed Matthew Woodson to the Rapidan Service Authority.

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

Motion carried.

RE: OTHER MATTERS FROM BOARD (continued)

GENERAL DISTRICT COURT JUDGE

Mr. Frydl noted Mr. Dale B. Durrer has been appointed as a General District Court Judge. A swearing-in ceremony is scheduled for Friday, June 28 in Culpeper.

EDA OFFICE

Mr. Frydl noted the office staff position is vacant. The Director has asked if temporary help can be hired. It was the consensus of the Board to allow the EDA Office to hire temporary help to remain within the current budget allowance.

COUNTY MAPS

It was the consensus of the Board to authorize the purchase of updated county maps with funding to come from the contingency budget.

RE: CONTINUED MEETING

Board of Supervisors
June 11, 2013
Sheet 6

The meeting ended at 8:27 p.m. The next scheduled meeting of the Board will be on June 25 in the County Meeting Room.



Jim Frydl, Chairman
Greene County Board of Supervisors

RESOLUTION AUTHORIZING ACCEPTANCE OF REAL ESTATE AND
ACQUISITION OF ADDITIONAL REAL ESTATE

WHEREAS, the Greene County Board of Supervisors has heretofore determined that it is necessary to protect the safety and well being of the general population of Greene County by developing a water impoundment to ensure that adequate water be available at all times to the population, and

WHEREAS, in order to develop such impoundment it has been deemed necessary for the County to acquire title to certain properties sufficient to accommodate such an impoundment, and

WHEREAS, such properties have been identified.

NOW THEREFORE, pursuant to the provisions of § 15.2-1800 and § 15.2-1803 of the 1950 Code of Virginia, as amended, be it resolved by the Greene County Board of Supervisors that all necessary funds be appropriated to acquire and the Greene County Attorney be, and the same hereby is, authorized to accept the conveyance of the following parcel of land, to-wit:

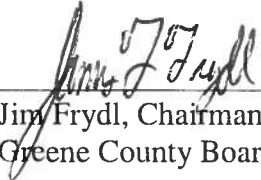
A 181.009 acre portion of a certain lot or parcel of land in the County of Greene, Virginia, known as Greene County Tax Map 51-A-25, consisting of approximately 260.309 acres as shown on attached plat of WW Associates, Inc., dated March 24, 2010 (the "Property"). The limits of the 181.009 acres are indicated as the "Acquisition Area" on an exhibit entitled "Exhibit For Appraisal of Snow Property - dated, 3/24/10, Revision No. 1", prepared by WW Associates, Inc.

AND BE IT FURTHER RESOLVED, that appropriate county officials as may from time to time be designated by the Board of Supervisors are authorized to negotiate with and to enter into purchase agreements with owners of other parcels of real estate which the Board may determine are necessary to effect its stated intent to develop said water impoundment, all such real estate to be acquired contingent upon the appropriation of available funds.

Funds are hereby authorized to be appropriated and the Greene County Attorney is further authorized to accept the conveyance of such other parcels of real estate as may be acquired under the provisions of this Resolution.

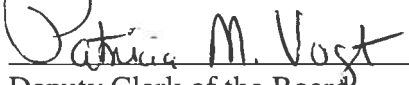
That this resolution shall be in force and effect upon its passage.

Adopted this 11th day of June, 2013.



Jim Frydl, Chairman
Greene County Board of Supervisors

ATTEST:



Deputy Clerk of the Board

Member Contributions by Salary Reduction for Counties, Cities, Towns, and Other Political Subdivisions

(In accordance with Chapter 822 of the 2012 Acts of Assembly (SB497))

Resolution

WHEREAS, the County of Greene [Political Subdivision Name] 55139[employer code] employees who are Virginia Retirement System members who commence or recommence employment on or after July 1, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis upon commencing or recommencing employment; and

WHEREAS, the County of Greene [Political Subdivision Name] employees who are Virginia Retirement System members and in service on June 30, 2012, shall be required to contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis no later than July 1, 2016; and

WHEREAS, such employees in service on June 30, 2012, shall contribute a minimum of an additional one percent of their creditable compensation beginning on each July 1 of 2012, 2013, 2014, 2015, and 2016, or until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the County of Greene [Political Subdivision Name] may elect to require such employees in service on June 30, 2012, to contribute more than an additional one percent each year, in whole percentages, until the employees' contributions equal five percent of creditable compensation; and

WHEREAS, the second enactment clause of Chapter 822 of the 2012 Acts of Assembly (SB497) requires an increase in total creditable compensation, effective July 1, 2013, to each such employee in service on June 30, 2013, to offset the cost of the member contributions, such increase in total creditable compensation to be equal to the percentage increase of the member contribution paid by such pursuant to this resolution (For example, if the member contribution paid by the employee increases from two to three percent pursuant to this resolution, the employee must receive a one percent increase in creditable compensation.)

BE IT THEREFORE RESOLVED, that the County of Greene [Political Subdivision Name] does hereby certify to the Virginia Retirement System Board of Trustees that it shall effect the implementation of the member contribution requirements of Chapter 822 of the 2012 Acts of Assembly (SB497) according to the following schedule for the fiscal year beginning July 1, 2013:

PLAN 1	Percent
Employer Paid Member Contribution	3 %
Employee Paid Member Contribution	2 %
Total	5%

PLAN 2	Percent
Employer Paid Member Contribution	3 %
Employee Paid Member Contribution	2 %
Total	5%

(Note: Each column must add up to 5 percent.); and

BE IT FURTHER RESOLVED, that such contributions, although designated as member contributions, are to be made by the County of Greene [Political Subdivision Name] in lieu of member contributions; and

BE IT FURTHER RESOLVED, that pick up member contributions shall be paid from the same source of funds as used in paying the wages to affected employees; and

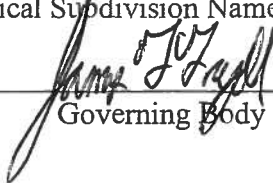
BE IT FURTHER RESOLVED, that member contributions made by the County of Greene [Political Subdivision Name] under the pick up arrangement shall be treated for all purposes other than income taxation, including but not limited to VRS benefits, in the same manner and to the same extent as member contributions made prior to the pick up arrangement; and

BE IT FURTHER RESOLVED, that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the pick up contributions made by the County of Greene [Political Subdivision Name] directly instead of having them paid to VRS; and

BE IT FURTHER RESOLVED, that notwithstanding any contractual or other provisions, the wages of each member of VRS who is an employee of the County of Greene [Political Subdivision Name] shall be reduced by the amount of member contributions picked up by the County of Greene [Political Subdivision Name] on behalf of such employee pursuant to the foregoing resolutions; and

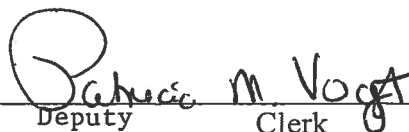
BE IT FURTHER RESOLVED, that in accordance with the Appropriation Act, no salary increases that were provided solely to offset the cost of required member contributions to the Virginia Retirement System under § 51.1-144 of the Code of Virginia will be used to certify that the salary increases required by the Appropriations Act have been provided.

NOW, THEREFORE, the officers are hereby authorized and directed in the name of the County of Greene [Political Subdivision Name] to carry out the provisions of this resolution, and said officers are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the County of Greene [Political Subdivision Name] for this purpose.


Governing Body Chairman

CERTIFICATE

I, Patti Vogt, Deputy Clerk, [Title, e.g. Clerk, Secretary] of the County of Greene [Political Subdivision Name], certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the County of Greene [Political Subdivision Name] held at Stanardsville, Virginia at 7:30 p.m. o'clock on June 11, 2013. Given under my hand and seal of the County of Greene [Political Subdivision Name] this 11th day of June, 2013.


Deputy Clerk

This resolution must be passed prior to July 1, 2013 and received by VRS no later than July 10, 2013.