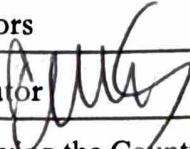




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MEMORANDUM

TO:	Greene County Board of Supervisors
FROM:	Cathy Schafrik, County Administrator 
SUBJECT:	Summary of Recent Litigation Involving the County and Associated Costs
DATE:	July 28, 2026

As requested by the Board of Supervisors at the July 14, 2026, Board meeting, below is a summary of recent litigation involving the County and the outcomes achieved to date. In each of these matters, the County has successfully defended its position.

1. McGuigan v. Board of Supervisors

Former Supervisor At-Large Dr. Francis McGuigan brought this suit after he submitted a written resignation as of January 21, 2026, and then attempted to withdraw that resignation on January 23, 2026. Dr. McGuigan argued that his resignation had not become effective because it had not been formally accepted by the authority responsible for filling the vacancy. The county argued that under **Virginia Code § 24.2-226**, a resignation becomes effective upon submission and cannot be withdrawn once received. County officials therefore treated McGuigan's January 21 resignation as final and proceeded with the process to fill the vacancy.

The case of *McGuigan v. Board of Supervisors* was resolved in the County's favor at the Circuit Court level. The plaintiff's claims were non-suited and dismissed, bringing the matter to a close without any adverse ruling against the County.

County Litigation Cost: \$20,472

2. Taylor v. Board of Supervisors

Karen Taylor and other neighbors filed suit in Circuit Court on July 28, 2022, challenging the Board's approval of a SUP involving Sojourner Shenandoah, LLC and Crimson Rock Capital, LLC.

In *Taylor v. Board of Supervisors*, the County prevailed before the Virginia Court of Appeals. The plaintiff subsequently sought review by the Supreme Court of Virginia. The Supreme Court denied the appeal, leaving the Court of Appeals' decision intact.

The Court of Appeals' opinion was highly favorable to the County and provides strong legal support for the County's position. With the denial of the appeal by the Supreme Court of Virginia, this matter is now fully concluded as of July 2026.

County Litigation Cost: \$27,848 (does not include costs before August 2025)

3. Copeland v. Board of Supervisors

The Copelands and Zutts challenged Greene County's approval of a farm winery on a 184-acre property owned by the Carl R. Beard, Jr. Revocable Trust that is zoned Agricultural (A-1) and Conservation (C-1) and found to be a by-right use under Greene County's zoning ordinances. The Copelands and others appealed the zoning administrator's decision to the Board of Zoning Appeals. The BZA heard the case on July 26, 2024, and found in favor of the County. The Copelands, Zutts, and others appealed the BZA ruling to Circuit Court on July 9, 2024. They then filed an ancillary lawsuit against the County challenging the legality of the zoning ordinance.

In *Copeland v. Board of Supervisors*, the County again prevailed in the lower courts, and the matter has been appealed to the Supreme Court of Virginia. The appeal remains pending. While the matter is not yet formally closed, only limited additional activity is expected.

County Litigation Cost: \$105,257

These outcomes reflect the County's successful defense of its actions in each matter. The *Taylor* litigation is fully resolved, *McGuigan* was dismissed at the Circuit Court level, and *Copeland* is pending only on a discretionary appeal that is not expected to be granted.