



JOSEPH S. PAXTON
County Administrator



ROCKINGHAM COUNTY

BOARD OF SUPERVISORS

PABLO CUEVAS
Election District No. 1

FREDERICK E. EBERLY
Election District No. 2

RICK L. CHANDLER
Election District No. 3

WILLIAM B. KYGER, JR.
Election District No. 4

MICHAEL A. BREEDEN
Election District No. 5

BOARD OF SUPERVISORS MEETING February 10, 2016

3:00 P.M. CALL TO ORDER – CHAIRMAN WILLIAM B. KYGER, JR.
INVOCATION – SUPERVISOR FREDERICK E. EBERLY
PLEDGE OF ALLEGIANCE – COUNTY ATTORNEY THOMAS H. MILLER, JR.

1. Approval of Minutes – Regular Meeting of January 27, 2016
2. Report – Virginia Department of Transportation – Residency Administrator
Donald F. Komara
 - a. Consideration – Route 257 VDOT Easement

Recess

3. Special Meeting of Countryside Sanitary District
 1. Call to Order – Chairman
 2. Approval of Minutes – Special Meeting of January 13, 2016
 3. Consideration – Route 257 VDOT Easement
 4. Adjourn

Resume Regular Meeting

4. Staff Reports:
 - a. County Administrator – Joseph S. Paxton
 - b. County Attorney – Thomas H. Miller, Jr.
 - c. Deputy County Administrator – Stephen G. King
 - d. Assistant County Administrator – George K. Anas, II
 - e. Director of Finance – Patricia D. Davidson
 - f. Director of Human Resources – Jennifer J. Mongold
 - g. Director of Public Works – Barry E. Hertzler
 - h. Director of Community Development – Casey B. Armstrong
 - i. Director of Technology – Terri M. Perry

- j. Fire & Rescue Chief – Jeremy C. Holloway
- k. Director of Parks & Recreation – Katharine S. McQuain
- l. Director of Court Services – Ann Marie Freeman

5. Committee Reports: Airport, Automobile, Buildings and Grounds, Central Shenandoah Planning District Commission, Chamber of Commerce, Community Criminal Justice Board, Finance, Harrisonburg-Rockingham Metropolitan Planning Organization, Harrisonburg-Rockingham Regional Sewer Authority, Massanutten Regional Library, Public Works, Shenandoah Valley Partnership, Social Services, Technology, VACo Liaison, Chairman, Other

6. Committee Appointments:
a. Community Policy and Management Team

7. Closed Meeting pursuant to 2.2-3711.A, (1), Discussion of the assignment, promotion, demotion, performance, salary, discipline or resignation of a specific officer, appointee or employee; (5), Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community and (7), Consultation with legal counsel and staff members pertaining to actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County; and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

6:00 p.m. 8. Public Hearings:

a. Special Use Permits:

SUP15-332, Knoll Meadow 1, LLC, PO Box 7, Bridgewater 22812 requesting a waiver to supplemental standard stating the primary dwelling must be completed prior to putting an accessory dwelling on property and a waiver to the size of the accessory dwelling on property located on the south side of Airport Road (Route 727) approximately 1/10 mile east of Waystation Road (Route 888), Election District #4, zoned A-2. Tax Map #136-(A)-54. Property address: 1675 Airport Road.

b. Intent to Adopt a Resolution to Abandon Undeveloped Right-of-Way from Steel Road (SR 629) to Grassy Creek Road (SR 711)

9. Unfinished Business

*** ADJOURN ***

January 27, 2016

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, January 27, 2016 at 6:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

PABLO CUEVAS, Election District #1
FREDERICK E. EBERLY, Election District #2
RICKY L. CHANDLER, Election District #3
WILLIAM B. KYGER, JR., Election District #4
MICHAEL A. BREEDEN, Election District #5

Also present:

BRYAN F. HUTCHESON, Sheriff

JOSEPH S. PAXTON, County Administrator
THOMAS H. MILLER, JR., County Attorney
STEPHEN G. KING, Deputy County Administrator
GEORGE K. ANAS, II, Assistant County Administrator
CASEY B. ARMSTRONG, Director of Community Development
PATRICIA D. DAVIDSON, Director of Finance
BARRY E. HERTZLER, Director of Public Works
RHONDA H. COOPER, Director of Planning
DIANA C. STULTZ, Zoning Administrator
JAMES B. MAY, Senior Planner
JESSICA G. KILBY, Deputy Clerk
DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation
JOSHUA W. DUNLAP, Assistant Residency Administrator
Virginia Department of Transportation

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CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE.

Chairman Kyger called the meeting to order at 6:00 p.m.

Supervisor Chandler gave the Invocation and Assistant County Administrator Anas led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

On motion by Supervisor Chandler seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board approved the minutes of the regular meeting of January 13, 2016 and the recessed meeting of January 20, 2016.

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PRESENTATION TO 2015 CHAIRMAN.

Chairman Kyger presented a plaque to 2015 Chairman Breeden in recognition of his leadership during the past year.

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CLOSED MEETING.

On motion by Supervisor Eberly seconded by Supervisor Chandler and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board recessed the meeting from 6:03 p.m. to 6:08p.m., for a closed meeting pursuant to 2.2-3711.A, (1), Discussion of the assignment, promotion, demotion, performance, salary, discipline or resignation of a specific officer, appointee or employee in consultation with legal counsel and staff.

MOTION: SUPERVISOR CUEVAS RESOLUTION NO: 16-2
SECOND: SUPERVISOR CHANDLER MEETING DATE: JANUARY 27, 2016

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Rockingham County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such Closed Meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board of Supervisors.

VOTE:

AYES: BREEDEN, CHANDLER, CUEVAS, EBERLY, KYGER

NAYS: NONE

ABSENT: NONE

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ANNOUNCEMENT OF NEW COUNTY ADMINISTRATOR.

Chairman Kyger acknowledged the presence of many individuals, including department heads, Constitutional Officers, several Rockingham County Public School staff members, and City Manager Kurt Hodgen.

He announced that the Board reached a consensus to appoint Deputy County Administrator Stephen G. King as the fourth County Administrator, beginning July 1, 2016. Mr. King will replace Administrator Paxton who will retire on June 30, 2016, after more than thirty-eight years with the County.

Chairman Kyger relayed that the Board is pleased with the current state of County operations and expects that high quality of service to continue under the leadership of Mr. King. He noted that this matter was discussed fully by the Board in three meetings over the past month, and during individual meetings between Board members and Mr. King. Chairman Kyger advised that the Board is unanimous in the belief that Mr. King is the right person for the chief administrative position.

Chairman Kyger noted, "The Board is expressing its full faith and confidence in Mr. King's ability to provide the appropriate leadership in executing the policies of the Board, and to build on the solid County record of accomplishments. Our community is fortunate to have someone of Mr. King's character as a member of the current staff, and his willingness to step into this vital role is appreciated. The County faces many challenges over the next several years, and the Board looks forward to working with Mr. King to analyze its options and set the policies that will guide the County for many years."

Chairman Kyger directed the Finance Committee, the County Attorney, and Administrator Paxton to work with Mr. King and bring a contract for consideration before the Board at its next meeting on February 10, 2016.

Deputy Administrator King provided comments and stated that he will work hard to ensure a smooth transition for all.

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RECESS.

Chairman Kyger recessed the meeting at 6:19 p.m. in order for guests to congratulate Mr. King and exit the room.

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2015 BRENT BERRY FOOD DRIVE UPDATE.

Chairman Kyger called the meeting back to order at 6:27 p.m. and introduced James William “Bucky” Berry and his son Brent Berry who provided an update regarding the 2015 Brent Berry Food Drive to benefit the Salvation Army.

Mr. Berry informed the Board that over the last seven years, the Brent Berry Food Drive has collected \$273,000 worth of food, feeding 9,000 families. Starting in June, the Harrisonburg-Rockingham Chamber of Commerce will team up with the Augusta County Chamber of Commerce to collect food at various locations. Mr. Berry thanked Sheriff Hutcheson for his service to the County and for his willingness to lend a hand during food drives.

Speaking on behalf of the Board, Chairman Kyger expressed appreciation to the Berry family for the great service they provide to the community.

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TRANSPORTATION DEPARTMENT.

Administrator Paxton pointed out that he and Mr. Komara spoke several times during the recent snowstorm to ensure residents were able to travel safely throughout the County. He expressed appreciation for the frequent communication and commended VDOT for an outstanding job.

Mr. Komara noted that VDOT is fortunate to work with many contractors that are critical to snow removal work across the County.

Mr. Komara provided a brief report on the activities of the Transportation Department, noting that since the last Board meeting snow removal has been the top priority. He reported that work is moving along well on the Valley Pike (Route 11) bridge project. A preconstruction conference was held on January 26, 2016 regarding the

installation of turn lanes at the intersection of East Side Highway (Route 340) and Port Republic Road (Route 253).

Board members extended appreciation to VDOT, followed by one minor maintenance request for the repainting of a turn lane arrow on Stone Spring Road (Route 280).

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RESOLUTION FOR CONDEMNATION – RESERVOIR STREET IMPROVEMENT PROJECT.

On motion by Supervisor Cuevas seconded by Supervisor Chandler and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board removed from the table a resolution approving condemnation of fee simple and temporary and permanent easements across property owned by Mary Madalene Lambert, Life Tenant; Ronnie M. Sours and Carolyn Sue Sours; and Ronnie M. Sours.

Administrator Paxton stated that the Board tabled a request at the last meeting to move forward with a “quick take” condemnation proceeding for properties owned by two owners – Ronnie M. and Carolyn Sue Sours and the Life Estate of Mary Lambert to allow for more discussion between County staff and the owners.

He reported that Deputy Administrator King met with the consulting engineer and Mr. Sours to further discuss Mr. Sours’ concerns. They will continue to work with Mr. Sours to see if modifications can be made. Mr. King also met with members of the Lambert Estate.

Supervisor Cuevas reiterated that an action to approve the quick take request does not prevent further discussion with either property owner, and that staff continues to work diligently to seek an amicable solution. Further, Supervisor Cuevas stated that it is important to keep the project moving along a timeline that is consistent with the adjacent improvement in the City, and to improve access to Sentara RMH.

On motion by Supervisor Cuevas seconded by Supervisor Chandler and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board authorized and directed the County Administrator and County Attorney to take such actions and execute such documents as may be necessary to carry out the provisions of the following Resolution, including but limited to the issuance and filing of appropriate certificates of deposit in accordance with Virginia Code section 25.1-300 *et seq.*

RESOLUTION APPROVING CONDEMNATION OF FEE SIMPLE AND TEMPORARY AND PERMANENT EASEMENTS ACROSS PROPERTY OWNED BY

**MARY MADALENE LAMBERT, LIFE TENANT; RONNIE M. SOURS AND
CAROLYN SUE SOURS; AND RONNIE M. SOURS**

WHEREAS, the Board of Supervisors of Rockingham County, Virginia, conducted a public hearing on January 13, 2016 at 6:00 PM with regard to its intent to acquire, enter, and take certain specified property, namely, certain fee simple and temporary and permanent easements set forth and more particularly described on the plans and documents attached hereto and incorporated herein as EXHIBITS A and B, which are Sheets 4 and 5 of the Plan and Profile of Proposed State Highway, Route 710, Reservoir Street, made by McCormick Taylor, Revised June 22, 2015 (the Property), respectively describing the land and easements to be taken from the Property owned by Mary Madalene Lambert, life tenant, Rockingham County Tax Map Parcel 125-A-160; Ronnie M. Sours and Carolyn Sue Sours, Rockingham County Tax Map Parcel 125-A-161A; and Ronnie M. Sours, Rockingham County Tax Map Parcel 125-A-161 (the Property Owners); and

WHEREAS, the Board of Supervisors hereby deems it necessary to enter upon and take the temporary and permanent easements prior to or during the resolution of any subsequent condemnation proceeding relating to the Property, and;

WHEREAS, the necessity for the entering and taking of the temporary and permanent easements is for public use and necessity, to wit: for the improvement, widening, construction, installation, maintenance, replacement and repair of Reservoir Street and associated drainage, and relocation of utilities in the vicinity of Reservoir Street, and;

WHEREAS, upon passage of this Resolution the County of Rockingham, Virginia, will be authorized pursuant to Virginia Code sections 25.1-300 through 25.1-318 to institute and conduct condemnation proceedings for the Property, and;

WHEREAS, the Board of Supervisors of Rockingham County, Virginia finds it necessary for the taking of the Property for the public uses cited herein, and;

WHEREAS, the work and improvements on the Property are necessary to meet the increasing traffic load on Reservoir Street and throughout the portion of Rockingham County, Virginia near the Hospital wherein the Property is located, and;

WHEREAS, representatives of Rockingham County have made bona fide efforts to purchase the necessary property interests from the above-referenced landowners and have entered into good faith negotiations therewith, but have been unsuccessful in securing the required property interests, and;

WHEREAS, the parcels of real estate included in the Property affected by this Resolution, and the compensation offered to them, are as follows:

1. Mary Madalene Lambert, life tenant, Rockingham County Tax Map Parcel 125-A-160, \$14,532.69;

2. Ronnie M. Sours and Carolyn Sue Sours, Rockingham County Tax Map Parcel 125-A-161A, \$8,750.00; and
3. Ronnie M. Sours, Rockingham County Tax Map Parcel 125-A-161, \$49,475.00.

WHEREAS, the use of the Property on all affected parcels shall be the improvement, widening, construction, installation, maintenance, replacement and repair of Reservoir Street and associated drainage, and relocation of utilities in the vicinity of Reservoir Street, and;

WHEREAS, notice of the public hearing (the Notice) conducted by the Board of Supervisors was published according to law, and;

WHEREAS, such Notice specified the time and place of hearing at which persons affected may appear and be heard;

NOW, THEREFORE, such public hearing having been concluded, upon motion properly seconded and unanimously approved, it is

RESOLVED that the County of Rockingham, State of Virginia, does hereby declare the necessity to enter upon and take, and its intent to so enter and take the certain specified Property set forth herein for the purposes set forth herein; and

BE IT FURTHER RESOLVED, the County of Rockingham, Virginia pursuant to Virginia Code section 15.2-1905(C) hereby elects to use the procedures set forth in Virginia Code sections 25.1-300 through 25.1-318 for condemnation proceedings as may be applicable to the taking of the Property for public uses authorized by Virginia Code section 15.2-1904(A); and

BE IT FURTHER RESOLVED, all recitals set forth herein above are hereby incorporated as a part of this Resolution.

BE IT FURTHER RESOLVED, Joseph S. Paxton, County Administrator of Rockingham County, Virginia, and Thomas H. Miller, Jr., Rockingham County Attorney, be and they hereby are authorized and directed to take such actions and execute such documents on behalf of this Board of Supervisors as may be necessary to carry out the provisions of this Resolution, including but limited to the issuance and filing of appropriate certificates of deposit in accordance with Virginia Code section 25.1-300 *et seq.*

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**CONSIDERATION – SHENANDOAH VALLEY SOIL & WATER
CONSERVATION DISTRICT GRANT REQUEST.**

Megen Dalton, District Manager of the Shenandoah Valley Soil & Water Conservation District (SVSWCD), introduced Stephen Lohr, a SVSWCD elected Board member. She explained that the SVSWCD is seeking the Board's support for a grant

proposal to provide a septic assistance program in the County. She reviewed a handout provided to the Board. The proposed program provides financial assistance for County residents to make septic system repairs, replacements, and installations. These repairs are important as approximately one-third of streams in the County are impaired and do not meet water quality standards for various reasons. A primary reason is bacteria, which is often traced to failing or malfunctioning septic systems. Ms. Dalton noted that if approved, the program will be administered in coordination with the Department of Environmental Quality (DEQ). The funds provided by the County would be used to administer the program.

Community Development Director Armstrong pointed out the importance of repairing failing septic systems in order to reduce nonpoint source pollution. He said the program will contribute to the County meeting the overall goals of the Chesapeake Bay Total Maximum Daily Load (TMDL) action plan.

On motion by Supervisor Breeden seconded by Supervisor Chandler and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board authorized support for the Shenandoah Valley Soil and Water Conservation District’s (SVSWCD) application: “Rockingham County Septic Assistance Program” and committed \$40,000 in matching funds to support the administration of the Septic Assistance Program, by providing \$20,000 per year, for the next two years.

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COUNTY ADMINISTRATOR’S STAFF REPORT.

The Board received and reviewed Administrator Paxton’s staff report dated January 21, 2016.

Administrator Paxton reported that Sheriff Hutcheson requested that the Glock Model 22 service weapon used by Deputy Riedel Hisey, be declared surplus upon his retirement on January 1, 2016. Deputy Hisey served the County for twenty years.

On motion by Supervisor Eberly seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board declared the Glock Model 22 service weapon, serial number KYY458, used by Deputy Riedel Hisey as surplus.

Administrator Paxton reported that he met with Supervisors Chandler and Eberly, Mr. King and representatives of Animal Welfare Management, Inc. on January 14 to discuss the County perceptions and perspectives related to the animal sheltering study and the operation of the facility by the SPCA. Animal Welfare Management, Inc. also met

with the City, as well as, the animal control officers and their supervisors. A town hall meeting was held on January 14, and on January 15, the review team met at the SPCA for a discussion with its Board and to review facility operations.

A draft report is expected in the next thirty days and Administrator Paxton noted that he will schedule a joint meeting to provide a presentation of the finalized plan.

He provided an update regarding the Emergency Communications Center radio system upgrade. The \$4M project, split between the City and County, is fifty percent complete with all equipment currently on site. He explained that in order to prevent conflict on the radios there will be two separate reprogrammings. The first, being a transfer of the new program to the radios, and the second, to remove the old program from the radios. The upgrade should be complete by December 2016.

Administrator Paxton reported that he received population estimates as of July 1, 2015. Over the last five years, the County has grown approximately 3.7 percent, reaching 79,000, and the City has grown nearly 10 percent, with a population of 54,000. He pointed out that the Harrisonburg Metro Area is the second fastest growing metro area in the Commonwealth. As the County continues to grow and population rises, so does the need for services, and it is difficult to maintain a balance between the two.

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COMMITTEE REPORTS.

The Board heard the following committee reports from Board members and staff.

COMMUNITY CRIMINAL JUSTICE BOARD

Supervisor Cuevas pointed out that there have been a considerable number of issues discussed in the media over the last several weeks regarding medical care at the Middle River Regional Jail. Since the County is a Member Jurisdiction of the Middle River Regional Jail Authority, he recommended that the County representatives, Administrator Paxton, Sheriff Hutcheson and Patricia Davidson, request a report on the related issues.

On motion by Supervisor Cuevas seconded by Supervisor Chandler and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board directed the County's members of the MRRJ Board request a report on the provision of medical care at Middle River Regional Jail and provide an update to the Board.

TECHNOLOGY

Technology Director Perry reported that staff has been notified that Cisco will no longer provide engineering support for the County's Cisco Catalyst 4507 switch that was purchased in 1999. Ms. Perry noted this is of immediate concern since the County's wide area network traffic flows through this device. The County currently operates satisfactorily using this switch, but with engineering support ending and parts difficult to find, it could create a substantial outage affecting phone service, email and data traffic between County locations, which would impair County operations. Ms. Perry stated that ABS Technology, a Cisco reseller, has provided a quote under the Virginia Association of State College and University Purchasing Professionals (VASCUPP) State Contract held by Cisco for Cisco products (UCP-3491557JC) for \$68,624 in hardware and implementation services.

Additionally, associated with this replacement, the Checkpoint Firewall and Threat Protection appliances no longer receive engineering support and will reach their end of life in the first quarter of 2017. Ms. Perry obtained a quote from Checkpoint Software Technologies for \$109,480 to replace the appliances, which includes trade-in and the first year's annual support.

Ms. Perry pointed out that there is \$318,000 included in the current year's capital budget for the document imaging project that remains unused. She requested a portion of those funds be reallocated for the replacement of the Core Cisco Switch and Checkpoint Firewall and Threat Protection.

Administrator Paxton pointed out that both purchases are sole source purchases.

On behalf of the Technology Committee, on motion by Supervisor Eberly, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board authorized the reallocation of unused funds from the Document Imaging Project for the following purchases:

- 1) Checkpoint Firewall and Threat Protection appliances and one-year support services in the amount of \$109,480 from Checkpoint Software Technologies; and,
- 2) Core Cisco Switch including hardware implementation services in the amount of \$68,624 from ABS Technology.

FINANCE

On behalf of the Finance Committee, on motion by Supervisor Cuevas, seconded by Supervisor Breedon, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board approved the following supplemental appropriation:

Sheriff

A supplemental appropriation in the amount of \$5,500 for labor costs associated with the Community Services and Connections for Ex-Offenders project. The Sheriff’s Department entered into a Memorandum of Agreement (MOA) with Future Generations and as part of this agreement the Sheriff’s Department will submit weekly reports, conduct outreach, distribute brochures, and assist in scheduling meetings with offenders. Future Generations will reimburse the County for these costs; therefore, no local funding is required. The MOA commences on January 1, 2016 and continues through September 30, 2018. This supplemental request covers the remainder of fiscal year 2015-2016.

Supplemental Appropriation: \$5,500

\$5,500 GL Code: 1001-03105-00000-000-501200-000 Overtime
 \$5,500 GL Code: 1001-00000-11603-000-316330-000 Extra Duty Fees

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PUBLIC HEARING – REZONINGS.

At 7:15 p.m., Chairman Kyger opened the public hearing Senior Planner May reviewed the following rezoning requests:

REZ15-314 Go-Mart, Inc., 915 Riverside Drive, Gassaway, WV 26624, to rezone TM# 130-(A) - L9B, totaling 2.071 acres, located west of Mount Hermon Road (Route 979) and north of Spotswood Trail (US 33), zoned General Agricultural District (A-2), to General Business District (B-1). The Comprehensive Plan identifies this area as Mixed Use Center. The property is located in Election District 5.

Cooper Youell, counsel for Go-Mart, Inc. was present to answer questions.

Supervisor Breeden noted that a neighbor of Go-Mart, Inc. contacted him with a concern regarding frequent littering in his yard. The neighbor felt like adding an additional business at that location would create a larger trash problem on his property. Supervisor Breeden indicated he would contact VDOT about the possibility of adding a “No Littering” sign in that location.

REZ15-317 Lispen, LLC, 1346 Pleasants Drive, Suite 6, Harrisonburg, VA 22801, to rezone portions of TM# 123-(A) - L74 and TM# 124-(A) - L40, totaling 28.521 acres, located south of Cecil Wampler Road (Route 704) and east of Interstate Highway 81, zoned General Industrial District with Conditions (I-1C), to General Industrial

District with Conditions (I-1C). The Comprehensive Plan identifies this area as Industrial. The property lies in Election District 4.

Devin Anders, President of InterChange Group Inc., spoke on behalf of the request. He indicated there is already a contract purchaser for a portion of the property who has agreed to the proffers presented. Mr. Anders explained that this is a prime location in the County for truck terminal use, given its close proximity to the interstate. He noted that in 2014, \$500,000 worth of privately-funded work was completed on the intersection to accommodate industrial development in the area.

Chairman Kyger and Board members thanked Mr. Anders for the road improvements.

No one spoke in opposition to the request.

At 7:31 p.m., Chairman Kyger closed the public hearing and reconvened the regular meeting to vote on the two rezoning requests.

On motion by Supervisor Breeden seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board approved REZ15-314 Go-Mart, Inc., 915 Riverside Drive, Gassaway, WV 26624, to rezone TM# 130-(A)- L9B, totaling 2.071 acres, located west of Mount Hermon Road (Rt 979) and north of Spotswood Trail (US 33), zoned General Agricultural District (A-2), to General Business District (B-1). The Comprehensive Plan identifies this area as Mixed Use Center. The property is located in Election District 5.

On behalf of Chairman Kyger, on motion by Supervisor Chandler, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; and subject to the following proffers, the Board approved REZ15-317 Lisper, LLC, 1346 Pleasants Drive, Suite 6, Harrisonburg, VA 22801, to rezone portions of TM# 123-(A)-L74 and TM# 124-(A)- L40, totaling 28.521 acres, located south of Cecil Wampler Road (Rt 704) and east of Interstate Highway 81, zoned General Industrial District with Conditions (I-1C), to General Industrial District with Conditions (I-1C). The Comprehensive Plan identifies this area as Industrial. The property lies in Election District 4.

Proffers:

The Property shall not be used for any of the following uses:

1. Feed mill
2. Poultry litter or brokerage operation
3. Impound lot
4. Airport, heliport or flight strip

Additionally, all special uses permitted on the property will be subject to a public hearing process under the Rockingham County Zoning Ordinance.

The development of any portion of the property shall be subject to compliance with the following additional proffered conditions:

1. All ingress and egress to the Property shall be by Crowe Drive.
2. Crowe Drive shall be constructed to applicable Virginia Department of Transportation standards.
3. Landscaping plan shall be submitted with any site plan submission and responsibility for installation and maintenance of landscaping will be with the Property owner(s). A line of shade trees shall be evenly spaced along the Property boundary with Interstate 81 and Cecil Wampler Road to break up the visual line of site from Interstate 81 (the intent being to provide visual interest, not a screen).
4. No neon or electronic message board signage shall be permitted on the Property.

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PUBLIC HEARING – ORDINANCE AMENDMENTS.

At 7:32 p.m., Chairman Kyger opened the public hearing and Ms. Stultz reviewed the following ordinance amendment:

OA15-325 Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-701.02 (Public Streets) to state that while R-3 apartment complex lots must front on a public street, there may be a private access easement from the public street to the parking lot, and it shall meet the requirements of Fire Department access roads as outlined in the Rockingham County Fire Prevention Code.

Ms. Stultz noted that the proposed ordinance amendment is primarily a housekeeping item.

The Planning Commission recommended approval of the amendment by a vote of 5-0.

No one spoke in opposition to the request.

Ms. Cooper reviewed the following ordinance amendment:

OA15-327 Amendment to the Rockingham County Code, Chapter 17, Zoning, to remove the term "final plan" and replace with the term "site plan" in Sections 17-400.02(d) Requirements; 404.02(c) Requirements; 405.02(d) Requirements; 702.07 Shared parking; 17-703.01(c) Landscape plan; 703.08(b) Utility easements; 17-1004.10(b)(2) Effect of acceptance: Map references; conformance to existing conditions.

The Planning Commission recommended approval of the amendment by a vote of 5-0.

No one spoke in favor or opposition to the request.

At 7:35 p.m., Chairman Kyger closed the public hearing and reconvened the regular meeting.

On motion by Supervisor Chandler, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board approved the following ordinance amendments:

**ORDINANCE REPEALING
AND
RE-ENACTING
SUB-SECTION 17-701.02 (b)
OF THE CODE OF ORDINANCES OF
ROCKINGHAM COUNTY, VIRGINIA**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA:

That Sub-section 17-701.02 (b) Public Streets be and hereby is repealed and re-enacted as follows:

Section 17-701.02. Public Streets.

- (b) In the R-1, R-2, and R-3 zoning districts, all streets shall be public streets. In R-3 apartment complexes, the parcel must front on a public street. However, access from the public street to the parking lot may be by a private access easement meeting the requirements of Fire Department access roads as outlined in the Rockingham County Fire Prevention Code. In manufactured home parks in the MH-1 zoning district, no streets shall be public streets. In mixed home subdivisions in the MH-1 zoning district and in all other zoning districts, streets may be public streets or private streets.

All other sub-sections of Section 17-701.02 remain as before.

This ordinance shall be effective from the 27th day of January 2016.

Adopted the 27th day of January, 2016.

ORDINANCE

REPEALING AND RE-ENACTING SUB-SECTIONS

17-400.02(d); 17-404.02(c); 17-405.02(d);

17-703.01(c); 17-703.08(b); AND 17-1004.10(b)(2);

AND

REPEALING AND RE-ENACTING SECTION 17-702.07

OF THE CODE OF ORDINANCES

OF ROCKINGHAM COUNTY, VIRGINIA

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA:

That Sub-section 17-400.02 (d) Requirements be and hereby is repealed and re-enacted as follows:

Section 17-400.02. Requirements.

- (d) The project area shall be under unitary ownership or under unified control at the time of application. The holder of a written contract or option to purchase the land shall, for the purpose of such application, but not for the approval of any site plans, be deemed an owner of such land. Unified control may be established by, but is not limited to, the formation of an owners' association which shall have the authority to act as a single entity in application for rezoning and in the development of the planned development; covenants and restrictions, properly executed and recorded in the office of the Clerk of the Circuit Court of Rockingham County, which shall run with the land and insure all development will be in accordance with the master plan and any conditions and restrictions of the rezoning, or an agreement of all owners, properly executed and recorded in the office of the Clerk of the Circuit Court of Rockingham County, which shall insure all development will be in accordance with the master plan and any conditions and restrictions of the rezoning.

All other sub-sections of Section 17-400.02 remain as before.

That Sub-section 17-404.02. (c) Requirements be and hereby is repealed and re-enacted as follows:

Section 17-404.02 Requirements.

- (c) The use of any area within the R-4 district shall be shown on the site plan.

All other sub-sections of Section 17-404.02 remain as before.

That Sub-section 17-405.02 (d) Requirements be and hereby is repealed and re-enacted as follows:

Section 17-405.02. Requirements.

- (d) The use of any area within the R-5 district shall be shown on the site plan.

All other sub-sections of Section 17-405.02 remain as before.

That Sub-section 17-703.01 (c) Landscape Plan be and hereby is repealed and re-enacted as follows:

Section 17-703.01. Landscape plan.

- (c) With prior approval of the zoning administrator, the required contents of the landscape plan may be shown on the site plan, and particular information may be omitted from a landscape plan when, due to the nature or limited scope of a development, such information is not necessary for evaluation of the plan or for purposes of maintaining a record.

All other sub-sections of Section 17-703.01 remain as before.

That Sub-section 17-703.08 (b) Utility Easements be and hereby is repealed and re-enacted as follows:

Section 17-703.08. Utility easements.

- (b) In any planned district, utility easements shall be a minimum of twenty (20) feet in width. Location of all utility easements shall be determined and approved as part of the site plan.

All other sub-sections of Section 17-703.08 remain as before.

That Sub-section 17-1004.10 (b) (2) Effect of Acceptance be and hereby is repealed and re-enacted as follows:

Section 17-1004.10. Effect of Acceptance.

- (b) Map references; conformance to existing conditions:
 - (2) Any site plan or subdivision thereafter submitted for development of property to which proffered conditions have attached shall conform to all such conditions and shall not be approved by the zoning administrator in the absence of such conformity.

All other sub-sections of Section 17-1004.10 remain as before.

That Section 17-702.07 Shared Parking be and hereby is repealed and re-enacted as follows:

Section 17-702.07. Shared parking.

For shared parking, supporting documentation and a plan for parking shall be submitted as a part of the site plan. Supporting documentation may include, but is not limited to, such items as use-specific parking needs, pedestrian-and bicycle-use statistics, hours of operation, number of employees, off-site employee parking, alternating hourly- or seasonal-use parking, availability of general-use parking areas, shuttle services provided, and mass transportation availability.

This ordinance shall be effective from the 27th day of January, 2016.

Adopted the 27th day of January, 2016.

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INTRODUCTION OF STUDENT.

A student from East Rockingham High School introduced herself to the board.

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REMOVAL FROM THE TABLE.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board removed from the table SUP15-277 Thomas Schmidt, 13545 Timber Way, Broadway 22815 for a public garage on property located on the west side of Timber Way (Route 42) approximately 1/2 mile north of East Lee Street (Route 259), Election District #1, zoned A-2. Tax Map #52-(1)-O.

Supervisor Cuevas indicated that the request was tabled at the December 9, 2015, Board meeting to offer the applicant time to cleanup a number of undesirable items around the proposed garage building. Supervisor Cuevas reported that since that time, the applicant followed through, creating a nice-looking facility.

On motion by Supervisor Cuevas, seconded by Supervisor Chandler and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board, subject to the following conditions, approved SUP15-277 Thomas Schmidt, 13545 Timber Way, Broadway 22815 for a public garage on property located on the west side of Timber Way (Route 42)

approximately 1/2 mile north of East Lee Street (Route 259), Election District #1, zoned A-2. Tax Map #52-(1)-O.

Conditions:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Building shall comply with the Statewide Building Code and the proper permits shall be obtained.
3. This permit is contingent upon a site plan being submitted to and approved by the County. No work shall be done on the property and the business shall not begin operation until such time as the site plan is approved.
4. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.
5. There shall be no off-premise signs permitted unless all County and State regulations are met.
6. Parking shall comply with the Rockingham County Code.
7. As proffered by the applicant, the hours of operation shall be from 7 a.m. until 5 p.m.
8. As proffered by the applicant, there shall be no more than four (4) customer vehicles on the property at any time.
9. All work shall be done inside the garage.
10. No parts shall be stored outside the garage.
11. No junk, trash, or debris, including junked vehicles shall be allowed to accumulate on the property.
12. No parking or advertising is permitted on VDOT's right-of-way.
13. An adequate parking and turn-around area shall be provided on site, and there shall be no backing onto Timber Way.
14. Should the adjoining property, also owned by the applicant, be sold or this property be sold, in order for the garage to continue operating, restroom facilities shall be required.
15. The business shall not begin operation until a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

CLOSED MEETING.

On motion by Supervisor Chandler seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board recessed the meeting from 7:39 p.m. to 7:55 p.m., for a closed meeting pursuant to 2.2-3711.A (3), Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

MOTION: SUPERVISOR CHANDLER RESOLUTION NO: 16-3
SECOND: SUPERVISOR BREEDEN MEETING DATE: JANUARY 27, 2016

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Rockingham County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such Closed Meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board of Supervisors.

VOTE:
AYES: BREEDEN, CHANDLER, CUEVAS, EBERLY, KYGER
NAYS: NONE
ABSENT: NONE

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RECONVENE.

At 7:56 p.m., Chairman Kyger reconvened the regular meeting

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ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. Anas' staff report dated January 2016.

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Hertzler's staff report dated January 27, 2016

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's staff report dated January 27, 2016.

Ms. Cooper provided an update and handout regarding House Bill 2 (HB2) transportation project applications. She reported that VDOT received 321 HB2 applications. Thirty-four of those applications were screened out and the remaining 287 applications were scored and ranked based on congestion, accessibility, economic development, land use, safety, and environment. The Rawley Pike (Route 33) project was selected for approval, ranking third in the state for safety. Ms. Cooper noted that the Mayland Road (Route 259) and South Valley Pike (Route 11) projects will be resubmitted on the next round of funding. She indicated the likelihood of those two projects being funded in the next round is very high since they have already been submitted and ranked well.

Ms. Cooper provided a timeline from the Office of the Secretary of Transportation. In February, The Commonwealth Transportation Board (CTB) will meet for a review of the recommended projects. The CTB will develop potential revisions from March - April, hold public hearings from April - May, develop a revised funding scenario in May and then adopt the Six-Year Plan in June. In response to a question, Ms. Cooper indicated she does not know when the approved projects will begin, but should know more soon.

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ADJOURNMENT.

Chairman Kyger declared the meeting adjourned at 8:19 p.m.

_____,
Chairman

DRAFT

**PREPARED BY VDOT
UNDER SUPERVISION OF THE
OFFICE OF THE ATTORNEY GENERAL**

Exempted from recordation taxes
and fees under Sections 58.1-811(A)(3),
58.1-811(C)(5), 58.1-3315, 25.1-418,
42.1-70, 17.1-266, and 17.1-279(E)

THIS DEED OF EASEMENT, made this 28th day of January, 2016, by and between **COUNTRYSIDE SANITARY DISTRICT** and the **COUNTY OF ROCKINGHAM, VIRGINIA**, as their interest may appear, Grantor, and the **COMMONWEALTH OF VIRGINIA**, acting by and through the Commissioner of Highways, Grantee,

WITNESSETH: THAT WHEREAS, it is proposed by the Commonwealth to widen or improve State Highway Route 257, Project 0257-082-717, R201, from 0.178 Miles West of Route 738 to 0.101 Miles east of Route 738 in the County of Rockingham, Virginia; and

WHEREAS, in the improvement it is necessary that the Grantee enter upon the lands of the Grantor located in the aforesaid county to establish and/or relocate utility facilities on the lands herein conveyed.

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) cash in hand paid by the Grantee to the Grantor, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey by quitclaim to the Grantee, its agents, permittees, successors and assigns, the perpetual right and easement, over, under, though, upon and across the area (to be referred to as the "VDOT Utility Easement"), for the purpose of allowing by permit the installation, construction, operation, maintenance, inspection, rebuilding, repair, improvement, relocation,

alteration, replacement or removal of the following facilities, (referred to as the “Permitted Utility Facilities”):

- A. Communication systems to be installed, operated, owned and maintained by Verizon South, Inc. and Shenandoah Telephone Company, their agents, successors or assigns, for the purpose of providing telephone, cable television and high speed internet services, consisting of buried cables, buried wires, posts, terminals, pedestals, vaults, conduits, manholes, hand-holes, and related above-ground facilities including, but not limited to, cables, wires, poles, posts, terminals, location markers, cabinets, equipment housings, remote terminal units, and other appurtenances as may from time to time be required.
- B. An overhead electrical system to be installed, operated, owned and maintained by Dominion Virginia Power, its agents, successors or assigns, for the purpose of transmitting and distributing electric power by one or more overhead circuits, telephone and other communications systems relating thereto, and street lighting, consisting of wires, conduits, poles, cables, transformers, transformer enclosures, concrete pads, manholes, hand-holes, connection boxes, accessories and appurtenances desirable in connection therewith.
- C. A water system to be installed operated, owned and maintained by the County of Rockingham, its agents, successors or assigns, for the purpose of transmitting and distributing water, and consisting of one or more various size pipes, mains, service pipes, valves, manholes, water meters, vaults and appurtenances.

adjacent to Route 257, situated in the County of Rockingham, Virginia, and including the right of reasonable egress and ingress to these Permitted Utility Facilities, said VDOT Utility Easement being more particularly bounded and described as follows:

Being as shown on plan sheets 3 and 3RW of the plans for Route 257 State Highway Project 0257-082-717, R201, and beginning on the south (right) side of the Route 257 Construction Baseline

from a point in lands now or formerly belonging to Norman R. Showalter and Grace V. Showalter, Trustees, opposite approximate Station 108+18 to the lands now or formerly belonging to Norman R. Showalter and Grace V. Showalter, Trustees, opposite approximate Station 109+10 and containing 1,957 square feet (0.0449 acre), more or less, land in proposed utility easement, as shown in PINK, copies of which are attached hereto to and will be recorded in the State Highway Plat Book simultaneously with the recording of the deed.

Being part of the land acquired by the Grantor from Dennis W. Hohenstein, et als by Deed dated April 18, 2002, and recorded in Deed Book 2452, Page 484 in the office of the Clerk of the Circuit Court of Rockingham County.

The VDOT Utility Easement and all Permitted Utility Facilities installed thereon as hereinabove described are subject to the following conditions:

1. The Grantee, its agents, permittees, successors or assigns, and the respective owners of the utility facilities ("Utility Owners") shall have full and free use of the said easement and right of way for the purposes named, and shall have all rights and privileges reasonably necessary to exercise use of the easement and right of way as their interests are set forth herein, including the right of reasonable ingress to and egress from this easement over the remaining land of Grantor by such private roads as may now or hereafter exist on the property of Grantor. The right, however, is reserved to Grantor to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, then the Grantee, its agents, permittees, successors or assigns, and the Utility Owners shall have such right of reasonable ingress and egress over the lands of the Grantor adjacent to the easement.
2. The Grantee, its agents, permittees, successors and assigns, and the Utility Owners shall each conduct their operations within the easement area in a manner that does not

materially interfere with or is otherwise inconsistent with the other easements, rights of way or interests in land acquired hereunder. Any material interference or inconsistency between users of any joint utility easement created hereunder that is not otherwise resolved by the text of this deed shall be resolved in favor of the entity that held, prior to the recording date of this deed, the first in time easement, right of way, other interest in land or occupancy of land under a claim of right or with the apparent acquiescence of the Grantor. Notwithstanding the foregoing, should the operations of the Grantee, its agents, permittees, successors or assigns necessitate material interference with the easements, rights of way or interests of land acquired hereunder, the Grantee, its agents, permittees, successors or assigns shall, in accord with applicable law, have the right and obligation to provide a replacement easement to, or pay the relocation costs of, the affected entity, to the extent necessary to resolve such interference, provided the affected entity held an easement, right of way, other interest in land or occupancy of land under a claim of right or with the apparent acquiescence of the Grantor prior to the recording date of this deed.

3. The Grantee, its agents, permittees, successors and assigns, and the Utility Owners shall have the right to trim, cut and remove trees, shrubbery, fences, structures, or other obstructions or facilities inside and outside the boundaries of the easement deemed to interfere with the proper and efficient use of the easement for the purposes named and/or the safe and proper operation of the utility facilities; provided, however, the Grantee, its agents, permittees, successors or assigns, or the Utility Owners, at their own expense, shall restore, as nearly as possible, the property to its original condition, including the back-filling of trenches, the replacement of curbing and asphalt pavement, and the reseeded of grass areas, but not the replacement of structures, trees, or other obstructions. The right to trim, cut and remove trees or shrubbery inside the boundaries of the easement shall be in

accordance with each Utility Owner's trimming specification, e.g., in compliance with the National Electric Safety Code; Virginia State Corporation Commission Guidelines on Tree-Trimming; the Virginia Overhead High Voltage Safety Act, Va. Code §§ 59.1-406 - 59.1-414; ANSI A-300 and ANSI Z-133. Outside the boundaries of the easement, the Utility Owners may only trim, cut and remove trees or shrubbery (including but not limited to weak, diseased and/or dead vegetation) that pose a danger to the safe and reliable operation of the utility facilities in order to eliminate the hazard. All trees and limbs cut by the Grantee, its agents, permittees, successors and assigns, or the Utility Owners shall remain the property of Grantor.

4. The Grantee, its agents, permittees, successors or assigns, and the Utility Owners shall, consistent with the purposes named, have the right to inspect, rebuild, repair, remove and relocate their respective utility facilities or any part thereof, within the easement area, and may make such changes, alterations, substitutions, additions in and to, or extensions of its facilities as it deems advisable, and consistent with the purposes named, without the prior consent of the Grantor.
5. The Grantee, its agents, permittees, successors or assigns, and the Utility Owners shall, subject to the rights acquired herein, repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement and right of way and (b) outside the boundaries of the easement caused by the Grantee, its agents, permittees, successors or assigns, or the Utility Owners in the process of the construction, inspection, and maintenance of facilities by the Grantee, its agents, permittees, successors or assigns, and the Utility Owners, or in the exercise of their right of ingress and egress, provided that Grantor gives written notice thereof to Grantee, its agents, permittees, successors or

assigns, or the Utility Owners, as appropriate, within sixty (60) days after such damage occurs.

6. The communications and water system constructed hereunder are and shall remain the property of the Grantee, its agents, permittees, successors or assigns, and the Utility Owners. The Grantee, its agents, permittees, successors or assigns, and the Utility Owners shall, consistent with the purposes named, have the right to inspect, rebuild, repair, remove and relocate their individual utility facilities or any part thereof, within the easement area, and may make such changes, alterations, substitutions, additions in and to, or extensions of their facilities as they deem advisable, and consistent with the purposes named, without the prior consent of the Grantor. In making any such changes, alterations, substitutions, additions in and to, or extensions of its utility facilities after the initial installations for the Project herein described, the Grantee, its agents, permittees, successors and assigns, and the Utility Owners shall not install any above ground pole, cabinet, transformer, fence or appurtenance within any existing paved parking area or entrance way without the prior consent of the Grantor; such consent shall not be unreasonably withheld. Manholes, vaults, handholes and similar types of appurtenances can be installed under paved areas and sidewalks provided they are load-bearing and are set flush with the existing pavement or sidewalk.
7. The Grantor, his successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby acquired , provided such use does not interfere with the Grantee, its agents, permittees, successors or assigns, or the Utility Owners, in their exercise of any of the rights acquired hereunder. Grantor shall not have the right to construct any building, structure, or other above-ground obstruction or to change the existing ground elevation, or to impound any water, on the easement; provided, however,

Grantor may construct on the easement fences, landscaping (subject, however to the tree trimming rights in Paragraph 3 hereof), paving, sidewalks, curbing, gutters, street signs, and below-ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs and below-ground obstructions do not interfere with the Grantee, its agents, permittees, successors or assigns, or the Utility Owners, in their exercise of any of its rights acquired hereunder. In the event such use by the Grantor does interfere with the exercise of any of the rights acquired by the Grantee, its agents, permittees, successors or assigns, or the Utility Owners hereunder, the Grantee, its agents, permittees, successors or assigns, and the Utility Owners may, in their reasonable discretion, relocate such of its utility facilities as may be practicable to a new site designated by Grantor and acceptable to the Grantee, its agents, permittees, successors or assigns, and the Utility Owner. In the event any such facilities are so relocated, Grantor shall reimburse the Grantee, its agents, permittees, successors or assigns, or the Utility Owners for the cost thereof and convey to the Grantee, its agents, permittees, successors or assigns, and the Utility Owners an equivalent easement at the new site.

Grantee shall have the right to assign or permit usage of this easement, or portions thereof, said assignment and usage to be only for the purposes and subject to the limitations set forth herein.

The Grantor by the execution of this instrument acknowledges that the plans for the aforesaid project as they affect their property have been fully explained to them or their authorized representative.

The Grantor covenants and agrees for themselves, their heirs, successors and assigns that they have been made aware of their right to receive just compensation for the easement herein conveyed, and that the considerations aforementioned and paid to them shall be in lieu of any and all claims to compensation and damages, if any, by reason of the location, construction, operation and maintenance of the utility facilities described herein.

WITNESS the following signatures and seals:

Countryside Sanitary District

By _____(SEAL)

Title: _____

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____,
2016, by _____, _____
(Name of officer or agent) (Title of officer or agent)

of Countryside Sanitary District, on behalf of the District.

My Commission expires _____.

Notary Registration No.: _____.

Notary Public

County of Rockingham, Virginia

By _____(SEAL)

Title: _____

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____,
2016, by _____, _____
(Name of officer or agent) (Title of officer or agent)

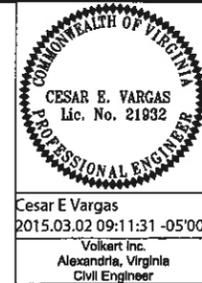
of the County of Rockingham, Virginia, on behalf of the County.

My Commission expires _____.

Notary Registration No.: _____.

Notary Public

PROJECT MANAGER: John Allen Everts (540) 332-7891 (V) (D)
SURVEYED BY, DATE: JKL Construction Co., Inc. (703) 961-8127, 04-03-12
DESIGN SUPERVISED BY: Keith Wootley (703) 642-8100 (V) (E) (D)
DESIGNED BY: Volpert, Inc. (703) 642-8100
SUBSURFACE UTILITY BY, DATE: So. Deep, Inc. (703) 361-6005, 03-01-12
STANTON DISTRICT DESIGN UNIT



REVISED	STATE	ROUTE	STATE PROJECT	SHEET NO.
12/23/2014	VA.	257	0257-082-717, C501, R201, B622	3

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

P.O.T STA. 113+40.00
OTTOBINE RD. (RTE. 257)
P.I. STA. 200+00.00
DRY RIVER RD. (RTE. 738)
Δ = 90° 37' 20" RT

UTILITY OWNERS

ROCKINGHAM CO. PUBLIC WORKS
P.O. BOX 1252
HARRISONBURG, VA 22803
MR. PHILLIP RHODES
(540) 564-3024

SHENANDOAH VALLEY ELECTRIC CO-OP
147 DINKEL AVENUE
MT. CRAWFORD, VA 22841-0236
MR. DALE DOVE
(540) 574-7253

COMCAST COMMUNICATIONS CONSTRUCTION DEPARTMENT
324 WEST MAIN STREET
CHARLOTTESVILLE, VA 22092
MR. BRIAN ENGLE
(434) 951-3871

SHENTEL
P.O. BOX 459
EDENBURG, VA 22824
MR. MATT ESTEP
(540) 984-5016

VERIZON-GTE
9401 PEABODY ST.
MANASSAS, VA 20111
MR. BILL LACY
(703) 369-9565

(A) DENNIS W. HOHENSTEIN AND SHIRLEY S. HOHENSTEIN
DB 885 PG 206
0.3658 AC.
TM * 122B-4-LJ

(B) MEREDITH A. ROOF
DB 1774 PG 610
0.3485 AC.
TM * 122B-4-L1B

(C) COUNTRYSIDE SANITARY DISTRICT
DB 2452 PG 484
0.160 AC.
TM * 122-15-L4

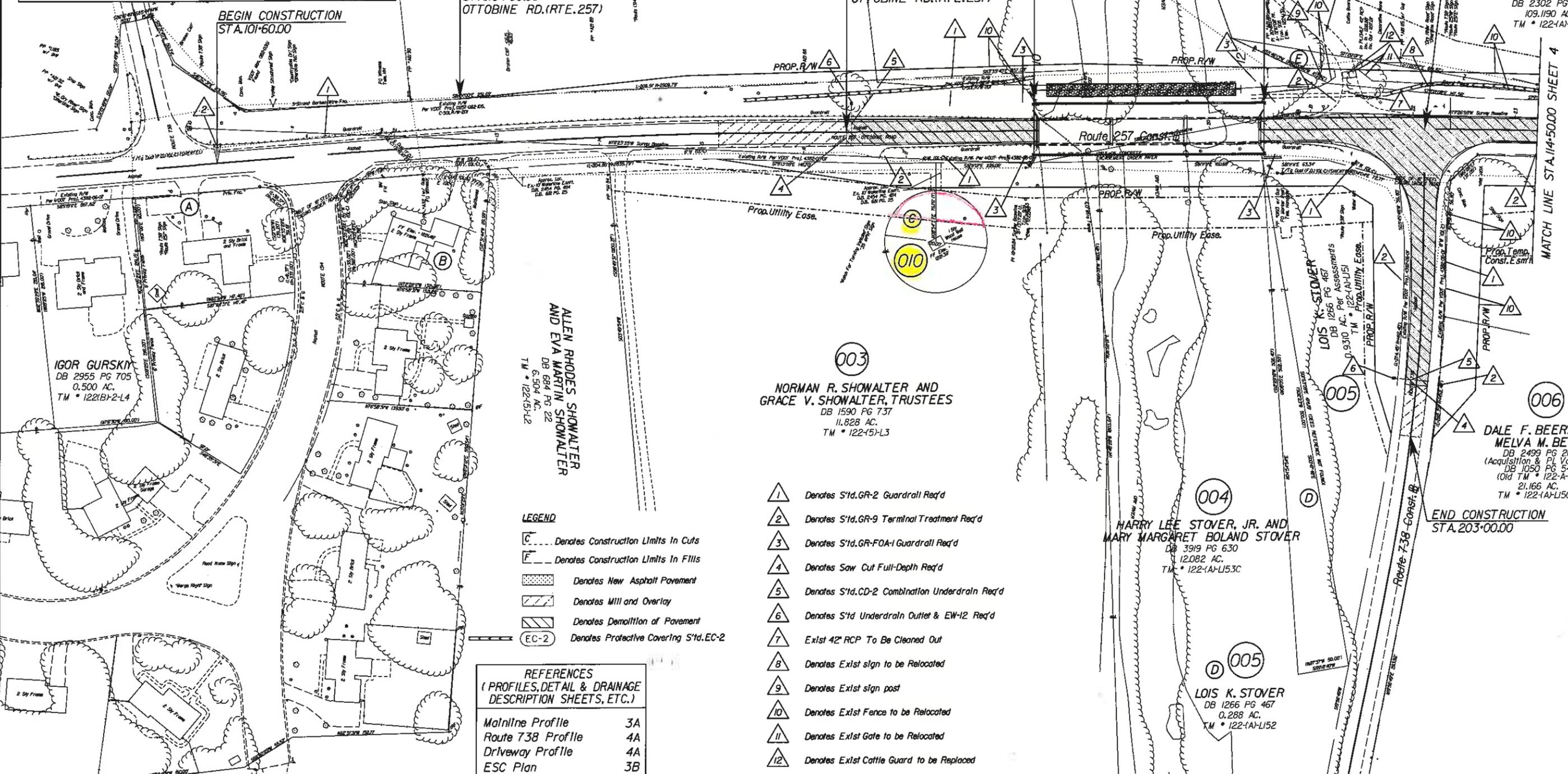
(E) SHENMONT FARMS II, LLC
DB 2302 PG 213, TRACT 3
0.1963 AC.
TM * 122-1A-L150C

BEGIN PROJECT 0257-082-717, PE-101, C-501
STA. 107+75.00
OTTOBINE RD. (RTE. 257)

BEGIN BRIDGE B-622
STA. 109+58.00

END BRIDGE B-622
STA. 111+83.00

(007) SHENMONT FARMS II, LLC
DB 2302 PG 213
109.190 AC.
TM * 122-1A-L13



IGOR GURSKIN
DB 2955 PG 705
0.500 AC.
TM * 122(B)-2-L4

ALLEN RHODES SHOWALTER AND EVA MARTIN SHOWALTER
DB 684 PG 22
6.504 AC.
TM * 122-15-L2

(003) NORMAN R. SHOWALTER AND GRACE V. SHOWALTER, TRUSTEES
DB 1590 PG 737
11.828 AC.
TM * 122-15-L3

(004) HARRY LEE STOVER, JR. AND MARY MARGARET BOLAND STOVER
DB 3919 PG 630
12.082 AC.
TM * 122-1A-L153C

(005) LOIS K. STOVER
DB 1266 PG 467
0.9310 AC. Per Assessments
TM * 122-1A-L151

(006) DALE F. BEERY AND MELVA M. BEERY
DB 2499 PG 263
(Acquisition & Pl. Vacation)
DB 1050 PG 540
(Old TM * 122-A-150)
21.166 AC.
TM * 122-1A-L150

- LEGEND**
- Denotes Construction Limits In Cuts
 - Denotes Construction Limits In Fills
 - Denotes New Asphalt Pavement
 - Denotes Mill and Overlay
 - Denotes Demolition of Pavement
 - Denotes Protective Covering S'td. EC-2

REFERENCES (PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)

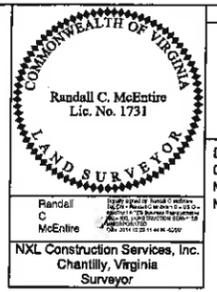
Mainline Profile	3A
Route 738 Profile	4A
Driveway Profile	4A
ESC Plan	3B

- Denotes S'td. GR-2 Guardrail Req'd
- Denotes S'td. GR-9 Terminal Treatment Req'd
- Denotes S'td. GR-FOA-1 Guardrail Req'd
- Denotes Saw Cut Full-Depth Req'd
- Denotes S'td. CD-2 Combination Underdrain Req'd
- Denotes S'td. Underdrain Outlet & EW-12 Req'd
- Exlst 42" RCP To Be Cleaned Out
- Denotes Exlst sign to be Relocated
- Denotes Exlst sign post
- Denotes Exlst Fence to be Relocated
- Denotes Exlst Gate to be Relocated
- Denotes Exlst Cattle Guard to be Replaced

PROJECT MANAGER: John Allen Eards (540) 332-7891 (N/DOT)
 SURVEYED BY: DATE NXL Construction Co., Inc. (703) 961-9127, 02-29-12
 DESIGN SUPERVISED BY: Keith Wootley (703) 642-8100 (N/DOT)
 DESIGNED BY: Valtter, Inc. (703) 642-8100
 SUBSURFACE UTILITY BY: DATE JICA
 STAUNTON DISTRICT DESIGN UNIT

RIGHT-OF-WAY PLAN

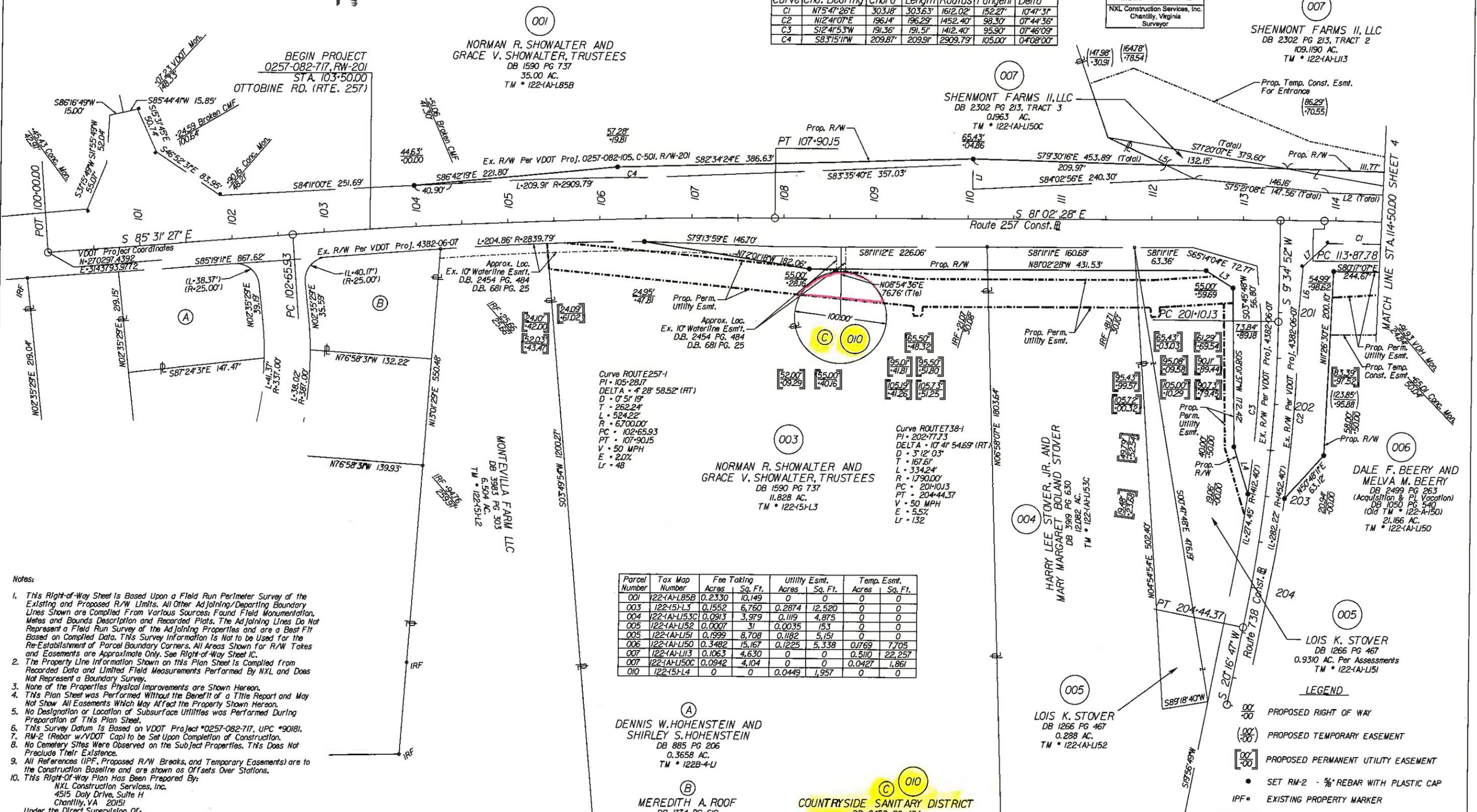
Line	Bearing	Length
L1	N08°48'49"E	27.00'
L2	S79°00'39"E	207.16'
L3	S48°28'15"E	34.99'
L4	S08°12'20"E	53.45'
L5	N55°46'13"W	104.85'
L6	N13°51'49"E	56.80'
L7	N55°50'09"E	36.67'



REVISED	STATE	ROUTE	STATE	PROJECT	SHEET NO.
12-23-2014	VA.	257	VA.	0257-082-717, C501, R201 B622	3RW

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

Curve	Chd.	Bearing	Chord	Length	Radius	Tangent	Delta
C1	N75°47'26"E	303.18'	303.63'	1612.02'	152.27'	10°47'31"	
C2	N12°41'07"E	196.14'	196.29'	1452.40'	98.30'	07°44'36"	
C3	S12°41'53"W	191.36'	191.51'	1412.40'	95.90'	07°46'09"	
C4	S83°15'11"W	209.87'	209.91'	2909.79'	105.00'	04°08'00"	



- Notes:
- This Right-of-Way Sheet is Based Upon a Field Run Perimeter Survey of the Existing and Proposed R/W Limits. All Other Adjoining/Departing Boundary Lines Shown are Compiled From Various Sources: Found Field Monumentation, Metes and Bounds Description and Recorded Plats. The Adjoining Lines Do Not Represent a Field Run Survey of the Adjoining Properties and are a Best Fit Based on Compiled Data. This Survey Information is Not to be Used for the Re-Establishment of Parcel Boundary Corners. All Areas Shown for R/W Takes and Easements are Approximate Only. See Right-of-Way Sheet IC.
 - The Property Line Information Shown on this Plan Sheet is Compiled from Recorded Data and Limited Field Measurements Performed by NXL and Does Not Represent a Boundary Survey.
 - None of the Properties Physical Improvements are Shown Hereon.
 - This Plan Sheet was Performed Without the Benefit of a Title Report and May Not Show All Easements Which May Affect the Property Shown Hereon.
 - No Designation or Location of Subsurface Utilities was Performed During Preparation of This Plan Sheet.
 - This Survey Datum is Based on VDOT Project #0257-082-717, UPC #90181.
 - RM-2 (Rebar w/VDOT Cap) to be Set Upon Completion of Construction.
 - No Cemetery Sites Were Observed on the Subject Properties. This Does Not Preclude Their Existence.
 - All References (IPF, Proposed R/W Breaks, and Temporary Easements) are to the Construction Baseline and are shown as Offsets Over Stations.
 - This Right-Of-Way Plan Has Been Prepared By:
 NXL Construction Services, Inc.
 4515 Daly Drive, Suite H
 Chantilly, VA 20151
 Under the Direct Supervision Of:
 Randall C. McEntire, L.S.
 Date: 06/12/2014 (Preliminary)

Parcel Number	Tax Map Number	Fee Taking Acres	Sq. Ft.	Utility Esmt. Acres	Sq. Ft.	Temp. Esmt. Acres	Sq. Ft.
001	122-1A-L85B	0.2330	10,149	0	0	0	0
003	122-15-L3	0.1552	6,760	0.2874	12,520	0	0
004	122-1A-L153C	0.0913	3,979	0.1119	4,875	0	0
005	122-1A-L152	0.0007	31	0.0035	153	0	0
005	122-1A-L151	0.1999	8,708	0.1182	5,151	0	0
006	122-1A-L150	0.3482	15,167	0.1225	5,338	0.1769	7,705
007	122-1A-L113	0.1063	4,630	0	0	0.5110	22,257
007	122-1A-L150C	0.0942	4,104	0	0	0.0427	1,861
010	122-15-L4	0	0	0.0449	1,957	0	0

(A) DENNIS W. HOHENSTEIN AND SHIRLEY S. HOHENSTEIN
 DB 885 PG 206
 0.3658 AC.
 TM * 122B-4-L1

(B) MEREDITH A. ROOF
 DB 1774 PG 610
 0.3485 AC.
 TM * 122B-4-L18

(C) COUNTRYSIDE SANITARY DISTRICT
 DB 2452 PG 484
 0.180 AC.
 TM * 122-15-L4

January 13, 2016

A Special Meeting of the Board of Directors of the Countryside Sanitary District was held at 3:13 p.m. on Wednesday, January 13, 2016, at the Rockingham County Administration Center, Harrisonburg, Virginia.

Present:

PABLO CUEVAS, Election District #1
FREDERICK E. EBERLY, Election District #2
RICKY L. CHANDLER, Election District #3
WILLIAM B. KYGER, JR., Election District #4

MICHAEL A. BREEDEN, Election District #5 was absent

Also present:

JOSEPH S. PAXTON, County Administrator
THOMAS H. MILLER, JR., County Attorney
STEPHEN G. KING, Deputy County Administrator
GEORGE K. ANAS, II, Assistant County Administrator
PATRICIA D. DAVIDSON, Director of Finance
BARRY E. HERTZLER, Director of Public Works
JESSICA G. KILBY, Deputy Clerk

ooooOoooo

CALL TO ORDER.

Chairman Kyger called the Meeting to order at 3:13 p.m.

ooooOoooo

APPROVAL OF MINUTES.

On motion by Supervisor Eberly, seconded by Supervisor Chandler and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN – ABSENT; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board approved the minutes of the meeting held on January 28, 2015.

ooooOoooo

2016 REORGANIZATION OF THE BOARD.

ELECTION OF CHAIRMAN AND VICE CHAIRMAN.

On motion by Supervisor Eberly, seconded by Supervisor Chandler and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN - ABSENT; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER – AYE; the Board elected the Chairman and Vice-Chairman of the Rockingham County Board of Supervisors to serve as the respective Chairman and Vice-Chairman of the Countryside Sanitary District during 2016.

oooooOooooo

ADJOURN.

Chairman Kyger adjourned the meeting at 3:15 p.m.

Chairman _____

**PREPARED BY VDOT
UNDER SUPERVISION OF THE
OFFICE OF THE ATTORNEY GENERAL**

Exempted from recordation taxes
and fees under Sections 58.1-811(A)(3),
58.1-811(C)(5), 58.1-3315, 25.1-418,
42.1-70, 17.1-266, and 17.1-279(E)

THIS DEED OF EASEMENT, made this 28th day of January, 2016, by and between **COUNTRYSIDE SANITARY DISTRICT** and the **COUNTY OF ROCKINGHAM, VIRGINIA**, as their interest may appear, Grantor, and the **COMMONWEALTH OF VIRGINIA**, acting by and through the Commissioner of Highways, Grantee,

WITNESSETH: THAT WHEREAS, it is proposed by the Commonwealth to widen or improve State Highway Route 257, Project 0257-082-717, R201, from 0.178 Miles West of Route 738 to 0.101 Miles east of Route 738 in the County of Rockingham, Virginia; and

WHEREAS, in the improvement it is necessary that the Grantee enter upon the lands of the Grantor located in the aforesaid county to establish and/or relocate utility facilities on the lands herein conveyed.

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) cash in hand paid by the Grantee to the Grantor, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey by quitclaim to the Grantee, its agents, permittees, successors and assigns, the perpetual right and easement, over, under, though, upon and across the area (to be referred to as the "VDOT Utility Easement"), for the purpose of allowing by permit the installation, construction, operation, maintenance, inspection, rebuilding, repair, improvement, relocation,

alteration, replacement or removal of the following facilities, (referred to as the “Permitted Utility Facilities”):

- A. Communication systems to be installed, operated, owned and maintained by Verizon South, Inc. and Shenandoah Telephone Company, their agents, successors or assigns, for the purpose of providing telephone, cable television and high speed internet services, consisting of buried cables, buried wires, posts, terminals, pedestals, vaults, conduits, manholes, hand-holes, and related above-ground facilities including, but not limited to, cables, wires, poles, posts, terminals, location markers, cabinets, equipment housings, remote terminal units, and other appurtenances as may from time to time be required.
- B. An overhead electrical system to be installed, operated, owned and maintained by Dominion Virginia Power, its agents, successors or assigns, for the purpose of transmitting and distributing electric power by one or more overhead circuits, telephone and other communications systems relating thereto, and street lighting, consisting of wires, conduits, poles, cables, transformers, transformer enclosures, concrete pads, manholes, hand-holes, connection boxes, accessories and appurtenances desirable in connection therewith.
- C. A water system to be installed operated, owned and maintained by the County of Rockingham, its agents, successors or assigns, for the purpose of transmitting and distributing water, and consisting of one or more various size pipes, mains, service pipes, valves, manholes, water meters, vaults and appurtenances.

adjacent to Route 257, situated in the County of Rockingham, Virginia, and including the right of reasonable egress and ingress to these Permitted Utility Facilities, said VDOT Utility Easement being more particularly bounded and described as follows:

Being as shown on plan sheets 3 and 3RW of the plans for Route 257 State Highway Project 0257-082-717, R201, and beginning on the south (right) side of the Route 257 Construction Baseline

from a point in lands now or formerly belonging to Norman R. Showalter and Grace V. Showalter, Trustees, opposite approximate Station 108+18 to the lands now or formerly belonging to Norman R. Showalter and Grace V. Showalter, Trustees, opposite approximate Station 109+10 and containing 1,957 square feet (0.0449 acre), more or less, land in proposed utility easement, as shown in PINK, copies of which are attached hereto to and will be recorded in the State Highway Plat Book simultaneously with the recording of the deed.

Being part of the land acquired by the Grantor from Dennis W. Hohenstein, et als by Deed dated April 18, 2002, and recorded in Deed Book 2452, Page 484 in the office of the Clerk of the Circuit Court of Rockingham County.

The VDOT Utility Easement and all Permitted Utility Facilities installed thereon as hereinabove described are subject to the following conditions:

1. The Grantee, its agents, permittees, successors or assigns, and the respective owners of the utility facilities ("Utility Owners") shall have full and free use of the said easement and right of way for the purposes named, and shall have all rights and privileges reasonably necessary to exercise use of the easement and right of way as their interests are set forth herein, including the right of reasonable ingress to and egress from this easement over the remaining land of Grantor by such private roads as may now or hereafter exist on the property of Grantor. The right, however, is reserved to Grantor to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, then the Grantee, its agents, permittees, successors or assigns, and the Utility Owners shall have such right of reasonable ingress and egress over the lands of the Grantor adjacent to the easement.
2. The Grantee, its agents, permittees, successors and assigns, and the Utility Owners shall each conduct their operations within the easement area in a manner that does not

materially interfere with or is otherwise inconsistent with the other easements, rights of way or interests in land acquired hereunder. Any material interference or inconsistency between users of any joint utility easement created hereunder that is not otherwise resolved by the text of this deed shall be resolved in favor of the entity that held, prior to the recording date of this deed, the first in time easement, right of way, other interest in land or occupancy of land under a claim of right or with the apparent acquiescence of the Grantor. Notwithstanding the foregoing, should the operations of the Grantee, its agents, permittees, successors or assigns necessitate material interference with the easements, rights of way or interests of land acquired hereunder, the Grantee, its agents, permittees, successors or assigns shall, in accord with applicable law, have the right and obligation to provide a replacement easement to, or pay the relocation costs of, the affected entity, to the extent necessary to resolve such interference, provided the affected entity held an easement, right of way, other interest in land or occupancy of land under a claim of right or with the apparent acquiescence of the Grantor prior to the recording date of this deed.

3. The Grantee, its agents, permittees, successors and assigns, and the Utility Owners shall have the right to trim, cut and remove trees, shrubbery, fences, structures, or other obstructions or facilities inside and outside the boundaries of the easement deemed to interfere with the proper and efficient use of the easement for the purposes named and/or the safe and proper operation of the utility facilities; provided, however, the Grantee, its agents, permittees, successors or assigns, or the Utility Owners, at their own expense, shall restore, as nearly as possible, the property to its original condition, including the back-filling of trenches, the replacement of curbing and asphalt pavement, and the reseeded of grass areas, but not the replacement of structures, trees, or other obstructions. The right to trim, cut and remove trees or shrubbery inside the boundaries of the easement shall be in

accordance with each Utility Owner's trimming specification, e.g., in compliance with the National Electric Safety Code; Virginia State Corporation Commission Guidelines on Tree-Trimming; the Virginia Overhead High Voltage Safety Act, Va. Code §§ 59.1-406 - 59.1-414; ANSI A-300 and ANSI Z-133. Outside the boundaries of the easement, the Utility Owners may only trim, cut and remove trees or shrubbery (including but not limited to weak, diseased and/or dead vegetation) that pose a danger to the safe and reliable operation of the utility facilities in order to eliminate the hazard. All trees and limbs cut by the Grantee, its agents, permittees, successors and assigns, or the Utility Owners shall remain the property of Grantor.

4. The Grantee, its agents, permittees, successors or assigns, and the Utility Owners shall, consistent with the purposes named, have the right to inspect, rebuild, repair, remove and relocate their respective utility facilities or any part thereof, within the easement area, and may make such changes, alterations, substitutions, additions in and to, or extensions of its facilities as it deems advisable, and consistent with the purposes named, without the prior consent of the Grantor.
5. The Grantee, its agents, permittees, successors or assigns, and the Utility Owners shall, subject to the rights acquired herein, repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement and right of way and (b) outside the boundaries of the easement caused by the Grantee, its agents, permittees, successors or assigns, or the Utility Owners in the process of the construction, inspection, and maintenance of facilities by the Grantee, its agents, permittees, successors or assigns, and the Utility Owners, or in the exercise of their right of ingress and egress, provided that Grantor gives written notice thereof to Grantee, its agents, permittees, successors or

assigns, or the Utility Owners, as appropriate, within sixty (60) days after such damage occurs.

6. The communications and water system constructed hereunder are and shall remain the property of the Grantee, its agents, permittees, successors or assigns, and the Utility Owners. The Grantee, its agents, permittees, successors or assigns, and the Utility Owners shall, consistent with the purposes named, have the right to inspect, rebuild, repair, remove and relocate their individual utility facilities or any part thereof, within the easement area, and may make such changes, alterations, substitutions, additions in and to, or extensions of their facilities as they deem advisable, and consistent with the purposes named, without the prior consent of the Grantor. In making any such changes, alterations, substitutions, additions in and to, or extensions of its utility facilities after the initial installations for the Project herein described, the Grantee, its agents, permittees, successors and assigns, and the Utility Owners shall not install any above ground pole, cabinet, transformer, fence or appurtenance within any existing paved parking area or entrance way without the prior consent of the Grantor; such consent shall not be unreasonably withheld. Manholes, vaults, handholes and similar types of appurtenances can be installed under paved areas and sidewalks provided they are load-bearing and are set flush with the existing pavement or sidewalk.
7. The Grantor, his successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby acquired , provided such use does not interfere with the Grantee, its agents, permittees, successors or assigns, or the Utility Owners, in their exercise of any of the rights acquired hereunder. Grantor shall not have the right to construct any building, structure, or other above-ground obstruction or to change the existing ground elevation, or to impound any water, on the easement; provided, however,

Grantor may construct on the easement fences, landscaping (subject, however to the tree trimming rights in Paragraph 3 hereof), paving, sidewalks, curbing, gutters, street signs, and below-ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs and below-ground obstructions do not interfere with the Grantee, its agents, permittees, successors or assigns, or the Utility Owners, in their exercise of any of its rights acquired hereunder. In the event such use by the Grantor does interfere with the exercise of any of the rights acquired by the Grantee, its agents, permittees, successors or assigns, or the Utility Owners hereunder, the Grantee, its agents, permittees, successors or assigns, and the Utility Owners may, in their reasonable discretion, relocate such of its utility facilities as may be practicable to a new site designated by Grantor and acceptable to the Grantee, its agents, permittees, successors or assigns, and the Utility Owner. In the event any such facilities are so relocated, Grantor shall reimburse the Grantee, its agents, permittees, successors or assigns, or the Utility Owners for the cost thereof and convey to the Grantee, its agents, permittees, successors or assigns, and the Utility Owners an equivalent easement at the new site.

Grantee shall have the right to assign or permit usage of this easement, or portions thereof, said assignment and usage to be only for the purposes and subject to the limitations set forth herein.

The Grantor by the execution of this instrument acknowledges that the plans for the aforesaid project as they affect their property have been fully explained to them or their authorized representative.

The Grantor covenants and agrees for themselves, their heirs, successors and assigns that they have been made aware of their right to receive just compensation for the easement herein conveyed, and that the considerations aforementioned and paid to them shall be in lieu of any and all claims to compensation and damages, if any, by reason of the location, construction, operation and maintenance of the utility facilities described herein.

WITNESS the following signatures and seals:

Countryside Sanitary District

By _____(SEAL)

Title: _____

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____,
2016, by _____, _____
(Name of officer or agent) (Title of officer or agent)

of Countryside Sanitary District, on behalf of the District.

My Commission expires _____.

Notary Registration No.: _____.

Notary Public

County of Rockingham, Virginia

By _____(SEAL)

Title: _____

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____,
2016, by _____, _____
(Name of officer or agent) (Title of officer or agent)

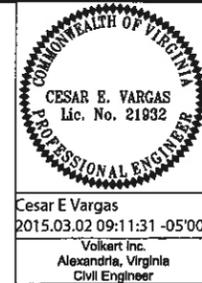
of the County of Rockingham, Virginia, on behalf of the County.

My Commission expires _____.

Notary Registration No.: _____.

Notary Public

PROJECT MANAGER: John Allen Everts (540) 332-7891 (V) (D)
SURVEYED BY, DATE: JKL Construction Co., Inc. (703) 961-8127, 04-03-12
DESIGN SUPERVISED BY: Keith Wootley (703) 642-8100 (V) (E) (D)
DESIGNED BY: Volpert, Inc. (703) 642-8100
SUBSURFACE UTILITY BY, DATE: So. Deep, Inc. (703) 361-6005, 03-01-12
STANTON DISTRICT DESIGN UNIT



REVISED	STATE	ROUTE	STATE PROJECT	SHEET NO.
12/23/2014	VA.	257	0257-082-717, C501, R201, B622	3

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

P.O.T STA. 113+40.00
OTTOBINE RD. (RTE. 257)
P.I. STA. 200+00.00
DRY RIVER RD. (RTE. 738)
Δ = 90° 37' 20" RT

UTILITY OWNERS

ROCKINGHAM CO. PUBLIC WORKS
P.O. BOX 1252
HARRISONBURG, VA 22803
MR. PHILIP RHODES
(540) 564-3024

SHENANDOAH VALLEY ELECTRIC CO-OP
147 DINKEL AVENUE
MT. CRAWFORD, VA 22841-0236
MR. DALE DOVE
(540) 574-7253

COMCAST COMMUNICATIONS CONSTRUCTION DEPARTMENT
324 WEST MAIN STREET
CHARLOTTESVILLE, VA 22092
MR. BRIAN ENGLE
(434) 951-3871

SHENTEL
P.O. BOX 459
EDENBURG, VA 22824
MR. MATT ESTEP
(540) 984-5016

VERIZON-GTE
9401 PEABODY ST.
MANASSAS, VA 20111
MR. BILL LACY
(703) 369-9565

(A) DENNIS W. HOHENSTEIN AND SHIRLEY S. HOHENSTEIN
DB 885 PG 206
0.3658 AC.
TM * 122B-4-LJ

(B) MEREDITH A. ROOF
DB 1774 PG 610
0.3485 AC.
TM * 122B-4-L1B

(C) COUNTRYSIDE SANITARY DISTRICT
DB 2452 PG 484
0.160 AC.
TM * 122-15-L4

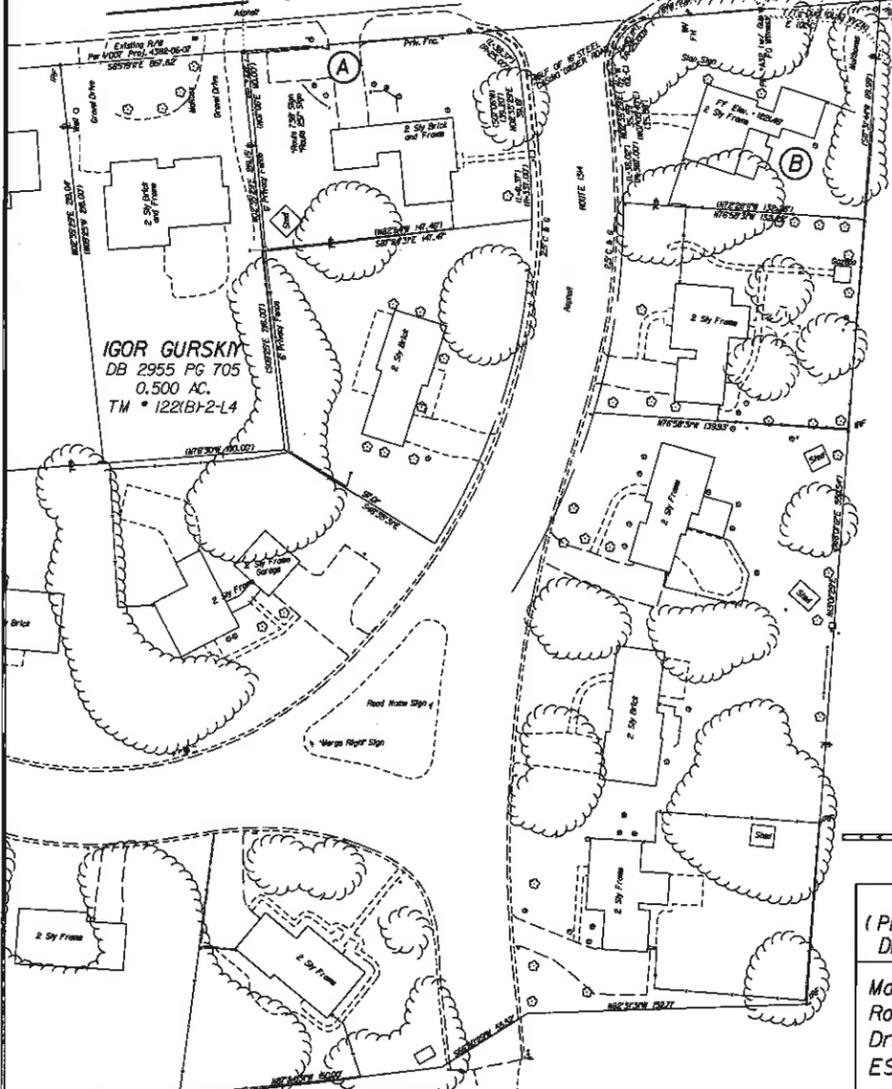
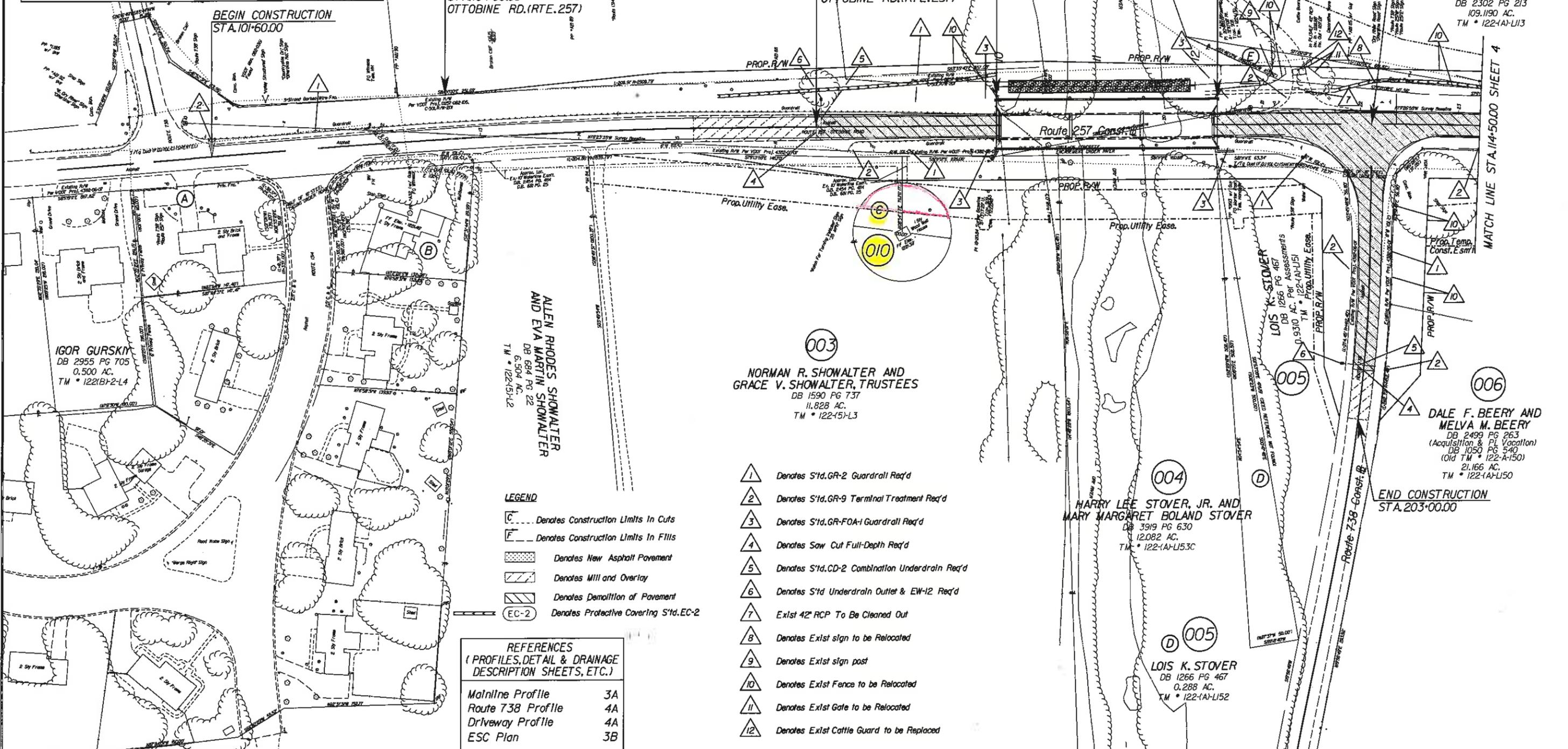
(E) SHENMONT FARMS II, LLC
DB 2302 PG 213, TRACT 3
0.1963 AC.
TM * 122-1A-L150C

BEGIN PROJECT 0257-082-717, PE-101, C-501
STA. 107+75.00
OTTOBINE RD. (RTE. 257)

BEGIN BRIDGE B-622
STA. 109+58.00

END BRIDGE B-622
STA. 111+83.00

(007) SHENMONT FARMS II, LLC
DB 2302 PG 213
109.190 AC.
TM * 122-1A-L13



ALLEN RHODES SHOWALTER AND EVA MARTIN SHOWALTER
DB 684 PG 22
6.504 AC.
TM * 122-15-L12

(003) NORMAN R. SHOWALTER AND GRACE V. SHOWALTER, TRUSTEES
DB 1590 PG 737
11.828 AC.
TM * 122-15-L3

(004) HARRY LEE STOVER, JR. AND MARY MARGARET BOLAND STOVER
DB 3919 PG 630
12.082 AC.
TM * 122-1A-L153C

(005) LOIS K. STOVER
DB 1266 PG 467
0.9310 AC.
TM * 122-1A-L151

(006) DALE F. BEERY AND MELVA M. BEERY
DB 2499 PG 263
(Acquisition & Pl. Vacation)
DB 1050 PG 540
(Old TM * 122-A-150)
21.166 AC.
TM * 122-1A-L150

(D) 005 LOIS K. STOVER
DB 1266 PG 467
0.288 AC.
TM * 122-1A-L152

- LEGEND**
- Denotes Construction Limits In Cuts
 - Denotes Construction Limits In Fills
 - ▨ Denotes New Asphalt Pavement
 - ▨ Denotes Mill and Overlay
 - ▨ Denotes Demolition of Pavement
 - EC-2 Denotes Protective Covering S'td. EC-2

REFERENCES (PROFILES, DETAIL & DRAINAGE DESCRIPTION SHEETS, ETC.)

Mainline Profile	3A
Route 738 Profile	4A
Driveway Profile	4A
ESC Plan	3B

- 1 Denotes S'td. GR-2 Guardrail Req'd
- 2 Denotes S'td. GR-9 Terminal Treatment Req'd
- 3 Denotes S'td. GR-FOA-1 Guardrail Req'd
- 4 Denotes Saw Cut Full-Depth Req'd
- 5 Denotes S'td. CD-2 Combination Underdrain Req'd
- 6 Denotes S'td. Underdrain Outlet & EW-12 Req'd
- 7 Exlst 42" RCP To Be Cleaned Out
- 8 Denotes Exlst sign to be Relocated
- 9 Denotes Exlst sign post
- 10 Denotes Exlst Fence to be Relocated
- 11 Denotes Exlst Gate to be Relocated
- 12 Denotes Exlst Cattle Guard to be Replaced

PROJECT MANAGER: John Allen Eards (540) 332-7891 (N/DOT)
SURVEYED BY: DATE NXL Construction Co., Inc. (703) 961-9127, 02-29-12
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DESIGNED BY: Valtter, Inc. (703) 642-8100
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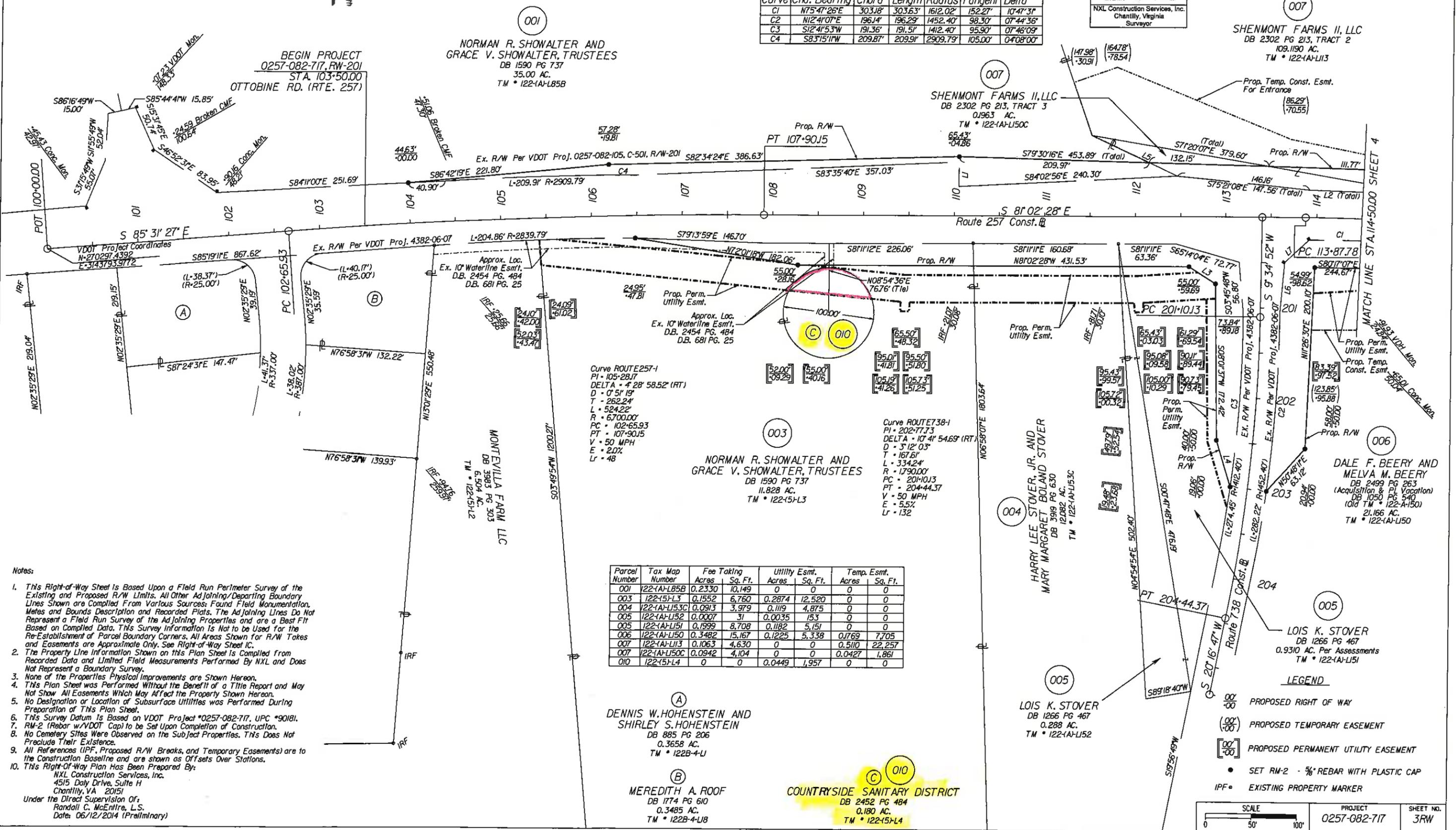
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 - No Designation or Location of Subsurface Utilities was Performed During Preparation of This Plan Sheet.
 - This Survey Datum is Based on VDOT Project #0257-082-717, UPC #90181.
 - RM-2 (Rebar w/VDOT Cap) to be Set Upon Completion of Construction.
 - No Cemetery Sites Were Observed on the Subject Properties. This Does Not Preclude Their Existence.
 - All References (IPF, Proposed R/W Breaks, and Temporary Easements) are to the Construction Baseline and are shown as Offsets Over Stations.
 - This Right-Of-Way Plan Has Been Prepared By:
NXL Construction Services, Inc.
4515 Daly Drive, Suite H
Chantilly, VA 20151
Under the Direct Supervision Of:
Randall C. McEntire, L.S.
Date: 06/12/2014 (Preliminary)

Parcel Number	Tax Map Number	Fee Taking Acres	Sq. Ft.	Utility Esmt. Acres	Sq. Ft.	Temp. Esmt. Acres	Sq. Ft.
001	122-1A-L85B	0.2330	10,149	0	0	0	0
003	122-15-L3	0.1552	6,760	0.2874	12,520	0	0
004	122-1A-L153C	0.0913	3,979	0.1119	4,875	0	0
005	122-1A-L152	0.0007	31	0.0035	153	0	0
005	122-1A-L151	0.1999	8,708	0.1182	5,151	0	0
006	122-1A-L150	0.3482	15,167	0.1225	5,338	0.1769	7,705
007	122-1A-L113	0.1063	4,630	0	0	0.5110	22,257
007	122-1A-L150C	0.0942	4,104	0	0	0.0427	1,861
010	122-15-L4	0	0	0.0449	1,957	0	0

- LEGEND
- PROPOSED RIGHT OF WAY
 - PROPOSED TEMPORARY EASEMENT
 - PROPOSED PERMANENT UTILITY EASEMENT
 - SET RM-2 - 5/8" REBAR WITH PLASTIC CAP
 - IPF - EXISTING PROPERTY MARKER

1. Human Resources, Payroll and the IT Department are working together to ensure that the next step in Affordable Care Act (ACA) reporting is done both timely and accurately. Per the ACA, employers are required to distribute 1095-C forms to all employees along with their W-2 forms by January 31, 2016. Employers are also required to complete IRS reporting to support these forms by March 31, 2016. These forms provide information that include the cost of health insurance, whether or not coverage is offered, employees and dependents covered, and what months they are each covered.
2. We are working with Rockingham County Schools and our consultants at BB&T to begin the RFP process for dental insurance.

Respectfully submitted,

Jennifer J. Mongold

1. Personnel vacancies

Utilities: no vacancies
Landfill: no vacancies
Refuse & Recycle: no vacancies
Public Works Admin: Construction inspector (Miss Utility)
Facilities Maintenance: Maintenance Technician

2. Utilities

Pleasant Valley 16" Waterline

Update: 56% or 4,800lf of the pipe installed as of 2/8/16. The complete schedule is:

1. Begin Construction 10/19/15
2. Substantial Completion 3/24/16
3. Final Completion 4/24/16

3. Landfill

Staff advertised for the Landfill Entrance project with a bid due date of 2/16/16. The estimated schedule is below:

1. City plan approval 1/31/16
2. Advertise for bids 1/25/16
3. Bid due date 2/16/16
4. Board approval 2/24/16
5. Notice to Proceed 3/7/16
6. Substantial Completion 12/1/16
7. Final Completion 1/1/17

Recycling & Satellite Sites

Nothing to report.

4. Facilities Maintenance

Staff is advertising for a Maintenance Technician position. The position will be open till filled.

5. Albert Long Park

The Board authorized utilizing the design build process for the procurement of several contracts including site electric, field preparation and amendments, irrigation, and site lighting at the last board meeting. An advertisement for firms to submit for qualification (Request For Qualification) was published in the Daily News Record and submissions were received on 2/2/16. Staff has submitted the results to the Public Works Committee for their review and recommendation to the board.

Respectfully Submitted,
Barry E. Hertzler
Director Public Works

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AUTHORIZED POSITIONS- 31.5

Filled Positions- 21.0

Department Director (Casey Armstrong)

ADMINISTRATIVE

Administrative Assistant (Amanda Thomas)

PERMIT INTAKE & PROCESSING

Permit Specialist II (Leslie Dodrill)

Permit Specialist I (Kelley Ann Weatherholtz)

BUILDING CODE ENFORCEMENT

Building Official (Joe Shifflett)

Building Plan Reviewer (Jay Carter)

Electrical Inspector (J.N. Riddel)

Electrical Inspector (Terry Derrer)

Inspector (Ricky Davis)

Building Inspector (James E. Campbell)

LAND DEVELOPMENT REVIEW

Development Plan Manager (Peter Kesecker)

PLANNING: SHORT- AND LONG-RANGE

Director of Planning (Rhonda Cooper)

Senior Planner (James May)

ZONING CODE ENFORCEMENT

Zoning Administrator (Diana Stultz)

Deputy Zoning Administrator (Diane Lepkowski)

Code Compliance Officer (Kelly Getz)

GEOGRAPHIC INFORMATION SYSTEMS

GIS Specialist (Mark Rathke)

GIS Technician (Kendrick Smith)

ENVIRONMENTAL SERVICES

Environmental Manager (Lisa Perry)

Environmental Inspector (Adam Hancock)

Environmental Inspector (Blake Barnes)

Vacant Positions- 10.5

Permit Specialist II

Permit Specialist I

Permit Specialist I- Part-time

Deputy Building Official

Building and Plumbing Inspector
Inspector

Plumbing Inspector

GIS Coordinator

Addressing Technician

Planner

Erosion & Sediment Control Administrator

BOARD ACTION REQUESTED

None.

PROJECTS AND REPORTS

PROPOSED VOLUNTARY CONSERVATION EASEMENT ORDINANCE (Rhonda Cooper)

Following a presentation to the Board on January 13, the Board requested staff to provide additional research to them at its February 10 meeting. Staff has met with John Hutchinson of the Shenandoah Valley Battlefields Foundation (SVBF) and Kim Sandum of the Community Alliance for Preservation (CAP), to determine an alternative to a countywide approach to the Voluntary Conservation Easement Ordinance. A presentation and maps will be presented at the February 10 meeting.

A Voluntary Conservation Easement Ordinance, initially drafted by an advisory committee in 2009, was revised in 2015 by the Shenandoah Valley Battlefields Foundation (SVBF) for consideration by the Board. The SVBF has encountered a number of opportunities to conserve land in the battlefields, but the conservation of these properties would necessitate the establishment of a local government as a co-holder of the easement. At the request of County staff, in June 2015, John Hutchinson of the SVBF provided an explanation of this need and outlined the differences between the 2009 and 2015 drafts. That information was provided to the Board in the department's January 13 staff report.

HOUSE BILL 2 TRANSPORTATION PROJECT APPLICATIONS (Rhonda Cooper)

The HB2 project scoring and recommendation phase has been completed by the Office of Intermodal Planning and Investment (OIPI), VDOT, and the Department of Rail and Public Transportation (DRPT). The recommended projects will be reviewed by the Commonwealth Transportation Board (CTB) this month. By June, the CTB is expected to adopt the Six Year Improvement Plan (SYIP). The tentative schedule is:

- February- CTB reviews recommended projects
- March to April- CTB to develop potential revisions to recommended projects
- April to May- Public hearings held on recommended projects and any revisions
- May- CTB revises funding scenario
- June- CTB adopts Six-Year improvement Program

The Rawley Pike (U.S. 33) project is included in the list of recommended projects. Staff will resubmit applications in the upcoming round for Mayland Road (VA 259), South Valley Pike (U.S. 11).

ROCKINGHAM BICYCLE ADVISORY COMMITTEE (RBAC) (Rhonda Cooper)

The next regularly scheduled meeting of the RBAC is February 18. The Committee has received and will comment on the final draft of the Rockingham County Bicycle and Pedestrian Plan. The Planning Commission will receive the final draft after February 18.

MPO & NON-MPO BICYCLE AND PEDESTRIAN PLANS (Rhonda Cooper)

On February 4, the MPO Subcommittee and Rockingham Bicycle Advisory Committee reviewed bicycle and pedestrian facility prioritizations and recommendations. The MPO TAC is expected to forward a final draft plan to the Policy Board, requesting that the Policy Board release it for public comment on March 21. The MPO and County Bicycle and Pedestrian Plans will be presented at a public meeting. The public meeting will be the citizens' and stakeholders' opportunity to review the draft plans and maps within an open house and formal presentation format.

PORT REPUBLIC RURAL VILLAGE GRANT PROJECT (Rhonda Cooper)

The Shenandoah Valley Network (SVN) and Community Alliance for Preservation (CAP) staff and the project consultant, Paradigm Design, held a community workshop in Port Republic on January 21 to describe the planning process and to seek input on what the community considers to be its assets and liabilities now and in the future. The next workshop will be February 18 at the Port Republic town hall.

The SVN was awarded a Battlefield Protection Grant to study the potential for a Rural Village Overlay District for Port Republic. SVN has contracted with Paradigm Design to work with Port Republic's village and area landowners to develop the landowners' vision, then to develop guidelines to preserve special characteristics, and to develop a list of uses compatible with the traditional village and surrounding agriculture and battlefields. The resulting Rural Village Overlay District could become a general model for application in the County's other rural villages. This grant was awarded by the National Park Service's American Battlefield Protection Program.

MPO SOUTH REGIONAL CORRIDOR STUDY (Rhonda Cooper)

The ad hoc committee is reviewing revisions to the MPO Route 11 South Regional Study. The MPO Policy Board tabled the original Study on June 21, 2012. The study encompasses part of the County; City; and the Towns of Bridgewater, Dayton, and Mt. Crawford; from Port Republic Road (City) to Dinkel Avenue and from Interstate 81 to Route 42.

SOLAR ENERGY COMMITTEE (Diana Stultz)

The kick-off meeting of the Solar Energy Committee (approved by the Board at the October 14 meeting) was held on Thursday, October, 22. Representatives from Dominion Power, SVEC, JMU, EMU, Hecate Energy, McBride Energy, private individuals Kim Sandum and Chris Bolgiano, and County staff attended.

Staff has worked on a solar energy ordinance, and it was sent to committee members on November 23 for review and comments. After receiving comments, staff reworked the ordinance and sent it out to the committee members for review again on December 28. Comments were received back by January 11. The ordinance was recommended for approval by the Planning Commission at its public hearing on February 2, 2016.

PROJECTS AND REPORTS TABLED BY THE BOARD OF SUPERVISORS

NORTH VALLEY PIKE CORRIDOR STRATEGIC PLAN (Rhonda Cooper)

The Board tabled the North Valley Pike Corridor Strategic Plan (NVP Plan) on December 15, 2010. Staff recommends reworking this Plan as part of the Comprehensive Plan revisions.

PLANNING COMMISSION ACTIONS

The Planning Commission considered the following items at its February 2 public hearing:

Item	Description	Comments/Recommendations
REZ15-338	Robert. S. Fulk, 14131 Brocks Gap Road, Fulks Run, VA 22830, to amend the proffered conditions on TM# 36-(A)- L140, located north of Brocks Gap Road (Rt 259) and approximately 0.1 mile east of Little Dry River Road (Rt 818), totaling 2.034 acres, currently zoned General Industrial District Conditional (I-1C). The Comprehensive Plan identifies this area as Agricultural Reserve. It is located in Election District 1.	Approval; to be heard by Board on 2/24
OA16-007	Amendment to the Rockingham County Code, Chapter 17 (Zoning), Article II. Definition of Terms, Section 17-201. Definitions generally to add the definition of Solar energy facility, large and the definition of Solar energy facility, small.	Approval; to be heard by Board on 2/24
OA16-008	Amendment to the Rockingham County Code, Chapter 17 (zoning), Table 17-606 Land Use and Zoning Table to allow solar energy facility, large by permitted use with supplemental standards (P*) in the I-1, I-2, PID, PMR, MXU, PCD, R-4, R-5, and S-1 zoning districts and by special use permit with supplemental standards (SU*) in the A-1, A-2, RV, PG, RR-1, B-1, and B-2 zoning districts. This amendment would also allow solar energy, small by permitted right with supplemental standards (P*) in all zoning districts.	Approval; to be heard by Board on 2/24
OA16-009	Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-607, Supplemental Standards for Certain Land Uses to add supplemental standards for Solar energy facility, large, and for Solar energy facility, small.	Approval; to be heard by Board on 2/24
OA16-010	Amendment to the Rockingham County Code, Chapter 17 (Zoning), Table 17-606 Land Use and Zoning Table to add Dwelling, single-family detached with independent living quarters to the A-1, A-2, RV, PSF, PG, R-4, R-5, MH-1, MXU, and PMR zoning districts as a permitted use with supplemental standards (P*).	Approval; to be heard by Board on 2/24
CIP	The County proposes to amend the capital improvements program (CIP), a five-year plan to guide the construction or acquisition of capital projects, to add two road improvement projects. A CIP is an important fiscal planning tool that helps a locality replace or repair existing major facilities or meet new capital improvement needs. A CIP is a form of short-term planning.	Approval; to be heard by Board on 2/24

The Commission removed the following ordinance amendments from the table. Staff proposed revisions to associated outdoor storage and the Commission recommended approval as presented.

Item	Description	Comments/Recommendations
OA15-322	Amendment to the Rockingham County Code, Chapter 17 (Zoning), Article 2 (Definition of Terms) to add a definition for agriculturally-related business, not otherwise listed.	Approval; to be heard by Board on 2/24
OA15-323	Amendment to the Rockingham County Code, Chapter 17 (Zoning), Table 17-606 (Land Use and Zoning Table) to allow agriculturally-related business, not otherwise listed as a special use permit with supplemental standards (SU*) in the A1, A2, & RV zoning districts.	Approval; to be heard by Board on 2/24
OA15-324	Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-607 (Supplemental Standards for Certain Land Uses) to set standards for agriculturally-related business, not otherwise listed.	Approval; to be heard by Board on 2/24

The following item has not been scheduled for a Board hearing:

Item	Description	Comments/ Recommendations
OA15-188	An amendment to Chapter 17 (Zoning), Article 7, Table 17-702.05 to change parking requirements for Dwelling, duplex and Dwelling, single-family detached to require one space for an efficiency or one bedroom unit.	Forwarded to Board with tie vote; Board hearing TBA

COUNTY-INITIATED AMENDMENTS

1. **Request and Reason:** At the November 18th Board meeting, the Board instructed staff to study and bring back an ordinance for agriculturally related retail businesses on a small scale in the A-1, A-2, and perhaps RV zoning districts. Staff has begun working on a draft ordinance.

Status: The Planning Commission tabled the request at its January 5 hearing, requesting staff to revise the proposed limitations on outdoor storage. On February 2, staff presented revisions to the outdoor storage requirements; the Commission recommended approval of the ordinance amendments as presented.

UPCOMING PUBLIC HEARINGS

February 10, 2016

Board of Supervisors

6:00 p.m.

Agricultural & Forestal District

None.

Special Use Permits

SUP15-332 Knoll Meadow 1, LLC, PO Box 7, Bridgewater 22812 requesting a waiver to supplemental standard stating the primary dwelling must be completed prior to putting an accessory dwelling on property and a waiver to the size of the accessory dwelling on property located on the south side of Airport Road (Route 727) approximately 1/10 mile east of Waystation Road (Route 888), Election District #4, zoned A-2. Tax Map #136-(A)-54. Property address: 1675 Airport Road.

Rezoning

None

Ordinance Amendments

None

PRIORITY PROJECTS UNDERWAY BY STAFF

Projects	Lead Person	Status	Target Date
North Valley Pike Corridor Strategic Plan	Rhonda	Board tabled on 12/15/10. Plan elements to be addressed during Comprehensive Plan update.	2016
Rockingham Bicycle Advisory Committee (RBAC)	Rhonda	Next meeting is 2/18/16.	Ongoing
Solar Energy Committee	Diana	Heard by Planning Commission on 2/2/16	1 st quarter - 2016

Ongoing Review/Tasks	Lead Person	Status
Deed Review	Diane	22 deeds in process as of 2/2/15: 4 pending review, 18 awaiting revisions
Violations	Kelly	53 active complaints, 16 cases pending legal action as of 2/2/16
Site Plans & Subdivisions	Pete	7 site plans and 2 subdivisions under review as of 2/01/16
Subdivision Ordinance Variances	Diana	0 requests under review, as of 2/2/16
Zoning Ordinance Variances	Diana	0 requests under review, as of 2/2/16
Zoning Appeals	Diana	0 requests under review, as of 2/2/16
Home Occupation Permits	Diana	0 permit requests under review, as of 2/22/16
Home Business Permits	Diana	0 permit requests under review, as of 2/2/16
Special Use Permits	Diana	2 permit requests under review, as of 2/2/16
Rezoning	Rhonda	2 rezoning requests under review, as of 2/2/16
Comprehensive Plan Amendments	Rhonda	0 request under review, as of 2/2/16
Permits and Fees Processed	Joe	493 total transactions for month of January 2016
Building Inspections	Joe	801 inspections conducted during January 2016 (averaged 47.81 inspections per day)
Building Plans	Joe	25 Plans under review, as of 1/31/16
Environmental (E&S/Stormwater) Plan Review	Lisa	17 plans under review as of 02/01/16, 11 awaiting permit issuance
Environmental Inspections	Lisa	256 inspections conducted in January 2016
Addressing Commercial/Residential Structures	Kendrick	24 new structures addressed in January 2016
Naming of New Roads	Kendrick	0 new private lanes named in January 2016

REQUESTS TABLED BY BOARD OF SUPERVISORS

SPECIAL USE PERMIT APPLICATION(S)					
Year Tabled	Date Tabled	File	Applicant	Request	Election District
2015	Oct 14	15-207	Walter & Cindy Carr	Event Center	2

REZONING REQUEST(S) and PLAN(S)					
Year Tabled	Date Tabled	File	Applicant	Request	Election District
2010	Dec 15	NA	North Valley Pike Corridor Strategic Plan	Endorsement of Corridor Strategic Plan for North Valley Pike area from Gravels Road to Vine Street and I-81 to Kratzer Road	2
2015	Sep 23	REZ15-127	Eddie Mozingo	To rezone 2.707 acres from General Residential District (R-3) to Planned Single Family District (PSF)	3
2016	Jan 13	REZ15-281	Lakeview Development Corporation	To rezone a portion of TM# 126-(A)-L43A, totaling 10.33 acres, located north of Lakeview Drive (Rt 1025) approximately 0.25 mile north of Shen Lake Drive (Rt 689), from General Agricultural District (A-2) to Medium Density Residential District with Conditions (R-2C).	3

ORDINANCE AMENDMENTS					
Year Tabled	Date Tabled	File	Applicant	Request	
--	--	--	--	--	

STAFF DIRECTORY

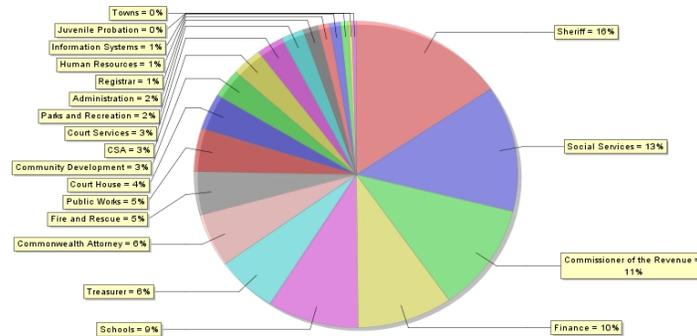
Name	Job Title	Office Number	Mobile Number
Casey Armstrong	Director	564-3031	578-2353
Blake Barnes	Environmental Inspector	564-3047	578-3515
James Campbell	Building Inspector	574-4381	578-1123
Jay Carter	Building Plan Reviewer	564-3046	578-1120
Rhonda Cooper	Director of Planning	564-3033	271-5061
Rick Davis	Building Inspector	432-3372	830-8018
Terry Derrer	Building Inspector	564-3042	578-1122
Leslie Dodrill	Permit Specialist II	564-3038	N/A
Kelly Getz	Code Compliance Officer	564-6063	810-5024
Adam Hancock	Environmental Inspector	564-1529	271-6523
Pete Kesecker	Development Plan Manager	564-5074	271-2952
Diane Lepkowski	Deputy Zoning Administrator	564-3037	578-1126
James May	Senior Planner	564-1513	N/A
Lisa Perry	Stormwater Management Program Administrator	564-6095	271-8760
Mark Rathke	GIS Specialist	564-5076	N/A
JN Riddel	Building Inspector	564-3045	578-1121
Joe Shifflett	Building Official	564-3041	578-1558
Kendrick Smith	GIS Technician	564-3029	830-5811
Diana Stultz	Zoning Administrator	564-3032	830-8017
Amanda Thomas	Administrative Assistant	574-3790	N/A
Kelley Ann Weatherholtz	Permit Specialist I	564-3040	N/A

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Activity Report - January 2016

	Permits Issued					Fees Collected				
	Jan-16	Jan-15	One Year Change	Jan-Jan 2016	Jan-Jan 2015	Jan-16	Jan-15	One Year Change	Jan-Jan 2016	Jan-Jan 2015
Building										
Commercial/Industrial	12	7	71.4 %	12	7	\$ 15,492.96	\$ 7,210.19	114.9 %	\$ 15,492.96	\$ 7,210.19
Manufactured	3	4	-25.0 %	3	4	\$ 259.90	\$ 413.51	-37.1 %	\$ 259.90	\$ 413.51
Single Family	22	13	69.2 %	22	13	\$ 22,357.64	\$ 13,998.13	59.7 %	\$ 22,357.64	\$ 13,998.13
Subtotal	37	24		37	24	\$ 38,110.50	\$ 21,621.83		\$ 38,110.50	\$ 21,621.83
Electrical										
	15	18	-16.7 %	15	18	\$ 801.11	\$ 852.71	-6.1 %	\$ 801.11	\$ 852.71
Subtotal	15	18		15	18	\$ 801.11	\$ 852.71		\$ 801.11	\$ 852.71
Mechanical										
	6	6	0.0 %	6	6	\$ 688.50	\$ 204.00	237.5 %	\$ 688.50	\$ 204.00
Subtotal	6	6		6	6	\$ 688.50	\$ 204.00		\$ 688.50	\$ 204.00
Other										
	19	43	-55.8 %	19	43	\$ 6,421.84	\$ 12,202.80	-47.4 %	\$ 6,421.84	\$ 12,202.80
Subtotal	19	43		19	43	\$ 6,421.84	\$ 12,202.80		\$ 6,421.84	\$ 12,202.80
Land Use Related										
Erosion and Sediment Permit:	4	6	-33.3 %	4	6	\$ 3,834.00	\$ 7,844.00	-51.1 %	\$ 3,834.00	\$ 7,844.00
Subtotal	4	6		4	6	\$ 3,834.00	\$ 7,844.00		\$ 3,834.00	\$ 7,844.00
Total	81	97		81	97	\$ 49,855.95	\$ 42,725.34		\$ 49,855.95	\$ 42,725.34

Technology Department Staff Report: February 2016

MONTHLY HELP DESK TICKET SUMMARY BY DEPARTMENT Total Number of Help Desk Tickets for January 2016: 263



NEW PROJECTS

Project	Associated Departments	Start Date	Projected End Date	Staff Assigned
Checkpoint Firewall Replacement	Technology	01/26/2016	04/30/2016	Michael Bowen, Dusty Moyer, Terri Perry
Core Switch Replacement	Technology	01/26/2016	04/30/2016	Michael Bowen, Dusty Moyer, Terri Perry
Cell Phone, Mobile Device Review	All	11/30/2015	03/30/2016	Terri Perry, Jeff Ferguson, Michael Bowen
Mobile Device Management Implementation	All	11/30/2015	03/30/2016	Michael Bowen, Dusty Moyer, Jeff Ferguson, Michael Krone
OpenGov Implementation	All	02/05/2016	02/05/2017	Terri Perry, Dan Frederick, Kerri Fitzgerald, Mark Zimmerman

CURRENT PROJECT STATUS UPDATES

Project	Associated Departments	Start Date	Projected End Date	Update
Data Center Upgrade - Phase 3	Technology, All	08/01/2014	03/31/2016	Demotion of servers, ImageNow, Foray and Symantec upgrades remaining.
Munis Financials Implementation and upgrade to 10.5	County & Schools Finance and Technology	02/28/2013	03/31/2016	Coordinate with Finance Director

Technology Department Staff Report: February 2016

Munis Human Resources Online Applicant Tracking	Human Resources	04/01/2015	4/30/2016	Waiting for upgrade to Munis 10.5
Credit Card Payments for CityView	Community Development, Technology, Harris	05/27/2014	03/30/2016	Delayed due to other Community Development projects
Evaluation and continuation of ImageNow Document Imaging project	Technology	06/04/2014	06/30/2016	Must upgrade to different component as yet undetermined to replace eCopy machines
Custom Reports for Munis	Technology	07/20/2014	Ongoing	Continuing to prioritize and create reports
Fix problems created by RecTrac/WebTrac Upgrade to new version and server	Recreation/Technology	09/01/2015	03/31/2016	Continuing to work with RecTrac and apply patches.
Clerk of Court computers	Technology/Supreme Court/Clerk of Court	11/01/2014	05/31/2016	Test computer onsite. Supreme Court moving data to upgraded servers.
Thomas Brothers Check Import process for Munis	Technology/Thomas Brothers	12/01/2014	01/31/2016	COMPLETE
Selection of solution(s) to replace DaPro software	Technology/Administration/RCSO/ECC/Court Services/Fire & Rescue	4/01/2015	7/01/2017	Committee Formed. Draft consultant RFP in review
New Software for Records and Imaging for Clerk of Court	Clerk of Circuit Court, Technology	07/01/2015	03/31/2017	Ongoing
Firewall at Three Springs Water Treatment Plant to allow remote SCADA Access	Public Works, Technology	10/01/2015	01/31/2016	COMPLETE

Technology Department Staff Report: February 2016

CityView changes for Planning and E&S	Community Development, Technology, CityView Staff	08/05/201 5	03/31/201 6	Working with CityView to schedule upgrade.
CityView/GIS Integration Fix	Community Development, Technology, Timmons Group	11/01/201 5	03/31/201 6	Schedule being determined
Personal Property Bills Created and sent to Datamatix	Technology, Commissioner of Revenue (Personal Property staff)	01/16/201 6	03/01/201 6	COR staff checking file
Work with City to reroute ICHRIS traffic through VPN	Technology (City, County, ECC)	02/02/201 6	03/01/201 6	Staff resolving current routes to ICHRIS.

Steve Moomaw accepted position as PC Network Technician and started work on January 25, 2016

Respectfully submitted,

Terri M. Perry
Director of Technology

1. Personnel

The department currently has one employee on light duty. The department has hired Scott Keyser and Kevin Tester to fill two open positions. The department still currently has 1 open position.

2. Prevention Division Activities: Capt. Joe Mullens, Lt. Todd Spitzer, Lt. Karen Will and Wes Shifflett**A. Plan Review**

1. Clean Agent System - 0
2. Commercial Cooking Suppression - 1
3. Dry Hydrant - 0
4. Emergency Planning/Evacuation - 0
5. Fire Detection/Alarm - 0
6. Fire Pump - 0
7. Flammable/Combustible Liquid Spray Booth - 0
8. Hazardous Materials - 0
9. Mechanical - 0
10. Private Fire Service Mains & Private Water Tank System - 0
11. Rezoning - 0
12. Site Plain - 3
13. Special Entertainment - 0
14. Special Use - 0
15. Sprinkler System - 4
16. Standpipe - 0
17. Plan Review That Has Exceeding Fourteen Day Reaction Time
 - a. All plan reviews are within noted reaction time
18. Plan Review Fees Generated - \$ 2,137.17

B. Consultation

1. Certificate of Occupancy - 0
2. Explosives/Fireworks - 0
3. Fire Code - 2
4. Fire Protection - 3
5. Open Burning - 0
6. Site - 0
7. Special Use/Rezoning - 0
8. Emergency Planning/Evacuation – 0

- C. Inspections
 - 1. Acceptance Testing – 10
 - 2. Assisted Living – 1
 - 3. Certificate of Occupancy - 3
 - 4. Daycare/Preschool - 1
 - 5. Dry Hydrant - 0
 - 6. Explosives - 1
 - 7. Fire Code - 7
 - 8. Fire Detection/Alarm - 0
 - 9. Fire Protection - 1
 - 10. Fireworks - 0
 - 11. Hazardous Materials - 0
 - 12. Nursing - 0
 - 13. Open Burning/Bon Fire - 0
 - 14. Private School - 0
 - 15. Public School - 4
 - 16. Re-Inspection - 6
 - 17. Safe School Audit - 1
 - 18. Tent - 0
 - 19. Inspection Not Completed/Had to be rescheduled
 - 1. N/A
 - 20. Inspection Fees Generated -\$ 210.00

- D. Operational Permits Issued
 - 1. Open Burning - 246
 - 2. Fireworks
 - a. Sales - 0
 - b. Display - 0
 - 3. Explosives
 - a. Storage - 0
 - b. Use - 0
 - 4. Bon Fire - 0
 - 5. Permit Fees Generated - \$0

- E. Incident Responses and Disposition
 - 1. Structure Fires
 - a. Accidental - 8
 - b. Incendiary - 1
 - c. Undetermined - 0
 - d. Under Investigation – 0

2. Vehicle Fires
 - a. Accidental - 0
 - b. Incendiary - 1
 - c. Undetermined - 0
 - d. Under Investigation – 0
 3. Brush/Grass Fires
 - a. Accidental - 0
 - b. Incendiary - 1
 - c. Undetermined - 0
 - d. Under Investigation – 0
 4. Open Burning
 - a. Authorized - 2
 - b. Unauthorized - 3
 - i. Notice of Violation - 3
 - ii. Summons - 3
 5. Bomb Threats - 1
 6. Fireworks Violations - 0
 7. Fire Lane
 - a. Tickets Issued - 0
 - b. Warnings Issued - 0
 8. Explosives/Explosions - 1
 9. Follow-up Investigation - 0
 1. Total Number of Hours – 0
- F. Public Education
1. Prevention Programs
 1. Smoke Detectors Installed - 15
 2. Fire Extinguisher Presentations - 0
 - i. Number of Participants - 0
 3. School Program Presentations - 12
 - i. Number of Participants - 63
 4. Other Program Presentations - 1
 - i. Number of Participants - 15
 5. Presentation of Education Materials Events - 0
 - i. Number of Participants – 0

- G. Training
 - 1. Fire Inspector Related Training
 - a. Number of Participants - 9
 - b. Number of Contact Hours -27
 - 2. Fire Investigator Related Training
 - a. Number of Participants -0
 - b. Number of Contact Hours - 0
 - 3. Public Education Related Training
 - 1. Number of Participants - 0
 - 2. Number of Contact Hours - 0

- H. Fire and Life Safety Division Comments/Notes
 - 1. All personnel assisted with winter storm Jonas response and recovery.
 - 2. Lt. Will attended public education meetings in Richmond and Harrisonburg.

3. Training Division: Battalion Captain Joe Morris, Lt. Steve Powell, Lt. Bryan Smith, and Lt. Jolene Powell

- A. Continued Education Training Provided
 - 1. Singers Glen Fire Department EMS CE's
 - a. Number of Participants - 6
 - 2. Broadway Fire Department EMS CE's
 - a. Number of Participants - 7
 - 3. Bridgewater Fire Department EMS CE's
 - a. Number of Participants - 6
 - 4. MERCK EMS CE's
 - a. Number of Participants - 36
 - 5. EMS Training for the month was CPR
 - a. Number of Participants - 70

- B. Meetings and Training
 - 1. Attended ARFF Instructor meeting on January 14th
 - 2. Additional CPR Classes
 - a. Number of Participants - 24
 - 3. Attended meeting regarding a paramedic program being held at RCFR
 - 4. Technical Rescue Team confined space training at MERCK for RCFR team

- C. Certification Training Provided

1. MTC Fire and Rescue Classes
 - a. Number of first year students – 16
 - b. Number of second year students - 14
 2. Started Fire Academy (Firefighter I, Firefighter II, and Hazmat Operations)
 - a. Number of Participants – 30
- D. Other Activities
1. Ran Duty Officer January 4th – 10th
 2. Assisted with Master Firefighter promotional process
 3. Completed and submitted the AFG Grant for SCBA's

Respectfully submitted by,

Chief Jeremy C. Holloway



STAFF REPORT
January, 2016

Agenda Item#

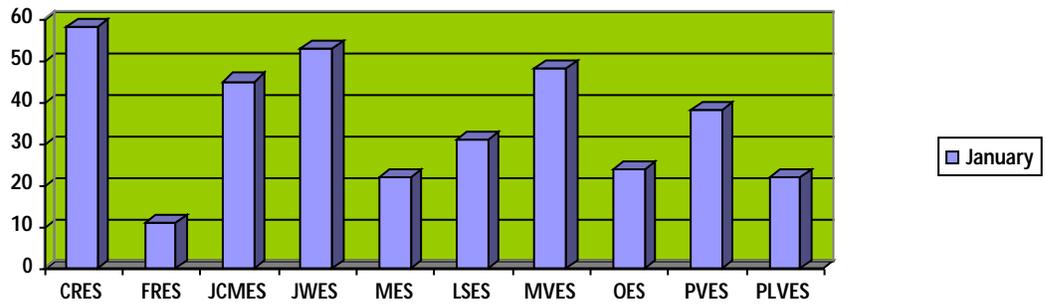
1. PERSONNEL

A. Parks & Recreation: Taylor May has been hired as the PDCC Coordinator. She will begin on February 8, 2016.

2. RECREATION

A. Recreation:

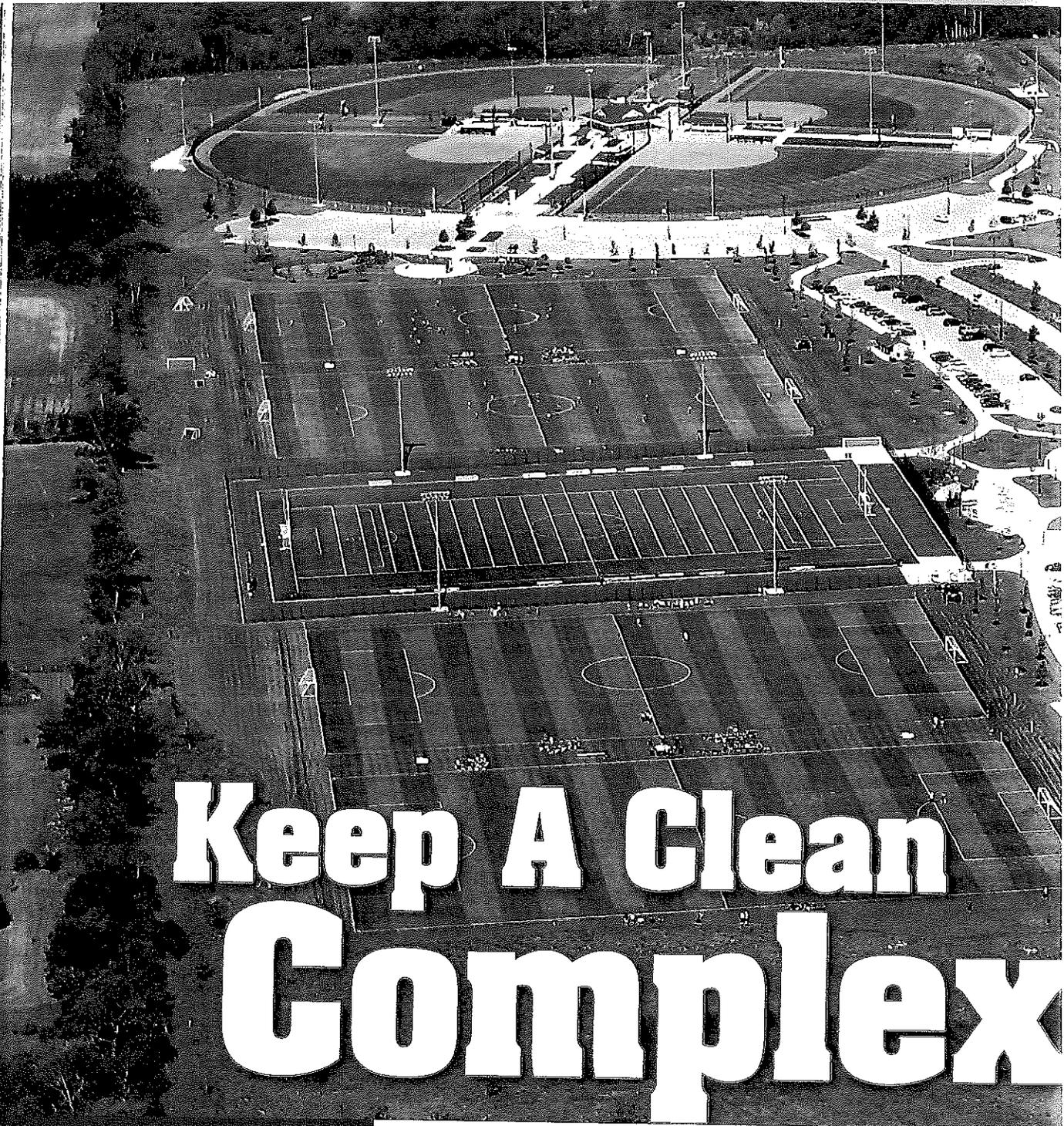
1. The Parks and Recreation Commission will meet on Thursday, February 25.
2. The Albert Long Park earth work continues to progress slowly, as January snow has slowed the earthwork.
 - Attached is an article of a larger but similar project for your review. Please note the economic impact the park has had on that community.
 - RFP's for Funding Consultant has gone out and due back on February 16 for the Recreation Foundation Committee to review.
 - Work continues with staff and the Timmons Group on the Master Plan. Completion to be in the spring of 2016.
3. The athletic staff attended the BSN Vendor show in January.
4. The Director spoke with two JMU classes. The class is learning about Albert Long Park and working on a special event project for the park that will presented to staff in the spring for review. This is to assist with learning planning, implementing, logistics, organizing, coordinating and budgeting for events.
5. The Winter / Spring Parks and Recreation Brochure went out on January 9. There are many new programs such as: Bubble Soccer, Animal Palooza, Great Ant Race, Line Dancing, Tai Chi, and many exciting trips.
6. The After School Program numbers for January. Currently there are over 450 children registered in the After School Program. After School continues to look for qualified staff to work in the program.



7. Boys basketball continues through February. Games are held at Myers, Pence, Mt. View, Hillyard, McGaheysville and Montevideo.
8. The Recreation Foundation received their 501c.3 status.
9. Upcoming Special Events Include
 - Kids Valentine’s Party, February 13
 - Cookies with a Cop, April 23
 - Animal Palooza, April 30
 - Community Yard Sale, June 4
10. Recreation Programs for the month of October with registration numbers are:
 - Bergton Community Center, 7 rentals
 - Singers Glen Community Center, 20 rentals
 - PDCC paying rentals, had 13
 - PDCC non-paying rentals, had 60
 - Therapy Dogs, 4 participants
 - Women’s Self Defense, 9 participants
 - Wrestling Club, 30 participants
 - Learn to Skate, 7 participants
 - Shop Til You Drop, 11 participants
 - Intro to Spanish, 6 participants

9. The month of January staff has been busy working on budgets, taking registrations, and organizing winter leagues. Staff continues to meet with senior groups in the community and provides them with arts, crafts and bingo activities. Staff continues to seek grants that could help fund ALP once the non-profit status has been received.

Respectfully submitted,
 Kathy McQuain
 Director of Parks & Recreation



Keep A Clean Complex

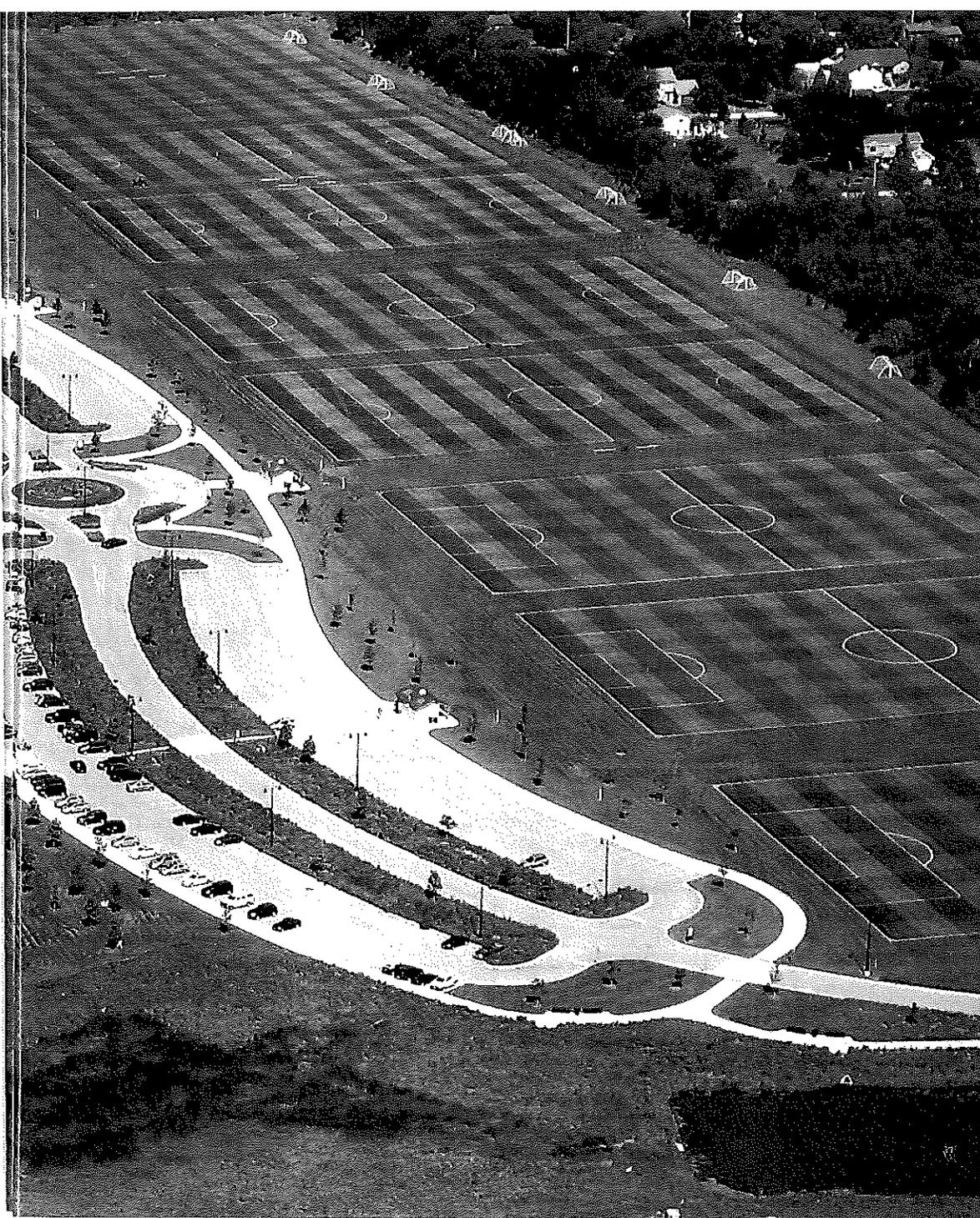
How to properly maintain a youth-sports complex

BY NOEL BRUSIUS

MAINTAINING

a youth-sports complex is not a 9-to-5 job. As sports-turf managers, we help generate revenue for the local economy and provide a venue for teams to compete on safe, playable, environmentally friendly fields.

The Waukegan SportsPark in Illinois (1.5 hours north of Chicago) attracts teams from throughout the Midwest and even across the country. As a result, local businesses receive a sizeable boost from teams and parents using county hotels, restaurants, gas stations, and shopping malls. The Lake County Convention and Visitor's Bureau recently estimated that the SportsPark has approximately a \$10-million economic impact annually.



HISTORY

The park district converted the former Orchard Hills Golf Course, a 138-acre site, for use as its newest recreation destination. Construction began in April 2009, with the "grand opening" event on June 3, 2011. Construction was funded through tax proceeds authorized by a 1997 referendum. The Waukegan SportsPark is world-class and definitely meets the outdoor athletic needs of the community, especially for youth sports.

GENERAL OVERVIEW

The SportsPark includes 13 Kentucky Bluegrass/Perennial Ryegrass soccer fields, a championship synthetic-turf soccer/football field, four softball fields, two concession facilities, nine restrooms, a maintenance building, picnic areas, and a playground with water-spray features. The total cost for this phase was \$22.5 million.

The fields receive most "play" on the weekends and, therefore, field usage is geared to sustain heavy traffic

over two or three days. According to the Sports & Fitness Industry Association, in 2013 there were about 6.61-million youth-soccer participants in the United States. Soccer is certainly the most popular youth sport in Waukegan.

One of the challenges lies in finding ways to maintain the natural-grass playing surfaces with steadfast activity, minimal rest days, and no offseason.

1. Personnel

A. Positions filled

Director
Administrative Assistant
Senior Pretrial Officer
Pretrial Officer (two full-time)
Pretrial Evaluator
Probation Officer (three full-time/one part-time)
Litter Control Supervisor (part-time)
CIT Coordinator

2. Litter Control Program

A. Bags Collected for January 2016 – 138

Roads/areas cleaned: County Administration Center, Rockingham County Landfill, School Board, Social Services, Digging out Fire Hydrants (33E, Battlefield Estates, Preston Lake, Madison Village, and Magnolia Ridge), SRI, Rt. 602, Rt. 601, 340, Massanetta Spring Road

3. Community Corrections

A. Probation

1) Caseload for January 2016
Misdemeanor caseload – 433
Felony caseload – 5

B. Pretrial

1) Caseload for January 2016
Misdemeanor caseload – 68
Felony caseload – 135

4. CIT – Crisis Intervention Team

A. The CIT Taskforce continues to meet on a monthly basis. The next 40 hour training will be held on February 8-12, 2016.

5. RE-Entry Council

A. The Re-Entry Council meets on a quarterly basis. The sub-committees meet once per month to discuss ways to integrate offenders back into our community.



Community Development Special Use Permit Report SUP15-332

Meeting Date: FEBRUARY 10, 2016

Applicant	KNOLL MEADOW I, LLC
Mailing Address	PO BOX 7, BRIDGEWATER, VA 22812
Property Address	1675 AIRPORT ROAD, BRIDGEWATER 22812
Phone #/Contact	828-6070/WAYNE MORRIS
Tax Map Id	136-(A)-54
Zoning	A-2
Requested Use	WAIVER TO THE SUPPLEMENTAL STANDARD STATING THAT THE PRIMARY DWELLING MUST BE COMPLETED PRIOR TO PUTTING AN ACCESSORY DWELLING ON PROPERTY AND A WAIVER TO THE SIZE OF THE ACCESSORY DWELLING.
Location	SOUTH SIDE OF AIRPORT ROAD (RT. 727) APPROXIMATELY 1/10 MILE EAST OF WAYSTATION ROAD (Rt. 888).
Acreage in parcel	97.46
Acreage in request	--
Election District	4
Comprehensive Plan	Agricultural Reserve

Board of Supervisors

PLACING CONDITIONS ON THE REQUEST IS NEITHER A RECOMMENDATION FOR APPROVAL OR FOR DENIAL. IT IS SIMPLY STATING THAT IF APPROVED, THESE ARE THE MINIMUM CONDITIONS THAT SHOULD BE PLACED ON THE PERMIT. IF APPROVED, THE BOARD OF SUPERVISORS MAY CHANGE THESE CONDITIONS OR ADD NEW CONDITIONS AS DEEMED NECESSARY.

If the request is approved by the Board, as a minimum the following conditions should apply:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Building shall comply with the Statewide Building Code and the proper permits shall be obtained to convert from a farm building to a residence.
3. Approval shall be obtained from the Health Department for an approved sewage disposal system and water supply. Said permits shall be submitted to the Community Development Department prior to obtaining a building permit.
4. The barn, when renovated into a residence shall become the primary residence on the property, and the existing residence shall become the accessory residence.
5. The residence that is the subject of this permit shall not be used for rental purposes.
6. The 2015 special use permit, which granted a waiver to required setbacks, shall remain in effect.
7. Residence shall not be occupied until such time as a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

GENERAL INFORMATION

SUBMISSION JUSTIFICATION:

Table 17-606 allows for accessory dwellings as an accessory use to a primary dwelling with the following stipulations:

- A. The area used for the accessory dwelling shall not exceed one thousand (1000) square feet or fifty percent (50%) of the square footage of the primary dwelling, whichever is less.
- B. The primary residence shall receive a certificate of occupancy prior to or concurrent with a certificate of occupancy being issued for the accessory dwelling.
- C. Only one accessory dwelling shall be permitted per primary dwelling.
- D. The accessory dwelling shall be located no more than sixty (60) feet from the rear and no more than twenty-five (25) feet from the side of the primary dwelling and shall not be subdivided from it.

Applicant is requesting waivers to two of those standards to allow what had been approved as the accessory dwelling to become the primary dwelling and the existing dwelling to become the accessory dwelling. Applicant also requests a waiver to allow the accessory dwelling (now the primary dwelling) to be greater than 1,000 square feet).

BACKGROUND

This property was purchased in February 2005. On July 22, 2015, the applicant obtained a special use permit to allow an accessory dwelling to be further than 25' from the primary dwelling so a portion of a barn could be converted to an accessory dwelling. They are now requesting that the barn become the primary dwelling and the existing dwelling become the accessory dwelling. This is so they can convert more of the barn into a dwelling. The size of the primary dwelling (now the barn) would be 7,147 square feet. The existing dwelling (which would become the accessory dwelling) would be 2,896 square feet.

EXISTING SPECIAL CONDITIONS:

The same conditions that were on the 2015 special use permit are placed on this permit, if approved with the added condition that the barn shall become the primary dwelling.

Adjoining Properties and Special Uses

Direction From Site	Zoning	Request	Decision
North	R-2	None	
	A-2	None	
East	A-2	None	
South	A-2	None	
West	A-2	None	

COMPREHENSIVE PLAN

According to the Comprehensive Plan, this property is in agricultural reserve.

ZONING AND EXISTING LAND USE

Adjoining Properties and Uses

Direction From Site	Zoning	Existing Land Use
North	R-2 A-2	Small residential lots mostly vacant Tillable
East	A-2	Home site, tillable, pasture
South	A-2	Wooded, pasture
West	A-2	Tillable, pasture

STAFF AND AGENCY ANALYSIS

UTILITIES

Health Department

No objections; any dwelling would need to have an approved sewage disposal system and water supply (was not returned for additional comment as the sewage disposal system and water supply would still be required).

ENVIRONMENTAL

Zoning Administrator - Floodplain

According to FEMA maps, the property is not located within the 100-year floodplain.

PUBLIC FACILITIES

Emergency Services

With both buildings being residences, Emergency Services has no concerns with the special use application going forward. However, with the continued construction and growth within the County, Emergency Services has concerns with being able to provide emergency services to new and upcoming projects and locations while maintaining current emergency responses.

Building Official

As long as the structure(s) meets all applicable 2012 residential building codes, it will not be a concern. However, a building permit will be required, and we will have to evaluate the structure, not limited to a review by an architect or engineer.

TRANSPORTATION

VDOT – Road Conditions

The site is currently served by an entrance that is adequate to accommodate the proposed use. (was not returned for additional comment as the use is not changing – just which will be the primary dwelling and which will be the accessory dwelling).

VDOT – Traffic Impact Analysis

N/A

SUMMARY

Considerations:

1. Accessory residences are permitted. However, the primary residence must be in existence prior to an accessory dwelling being located on the property. Additionally, the accessory dwelling would be greater than 1,000 square feet.. Applicant is requesting a waiver to that standard to allow him to convert a barn to a residence.
2. If approved, when completed, the barn will become the primary residence on the property with the existing dwelling becoming the accessory dwelling.
3. Change of use building permits will be required.
4. Existing entrance is adequate.
5. Septic approval and a well permit will be required.
6. The setback variance approved with the 2015 special use permit shall remain in effect.
7. According to the County Code, in granting a special use permit, the Board should find the following:
 - That the use is compatible with surrounding uses,
 - Is not detrimental to the character of adjacent land,
 - Is consistent with the intent of this chapter, and
 - Is in the public interest.

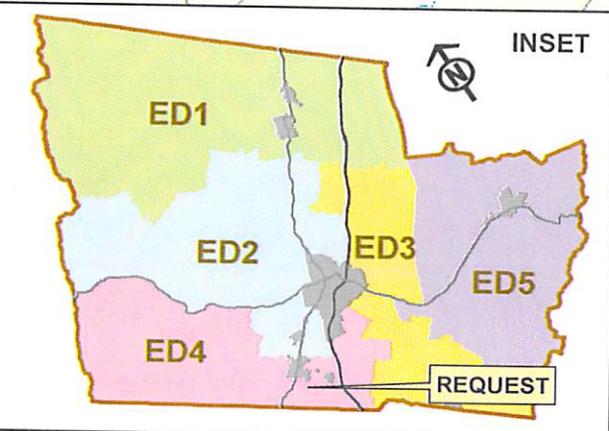
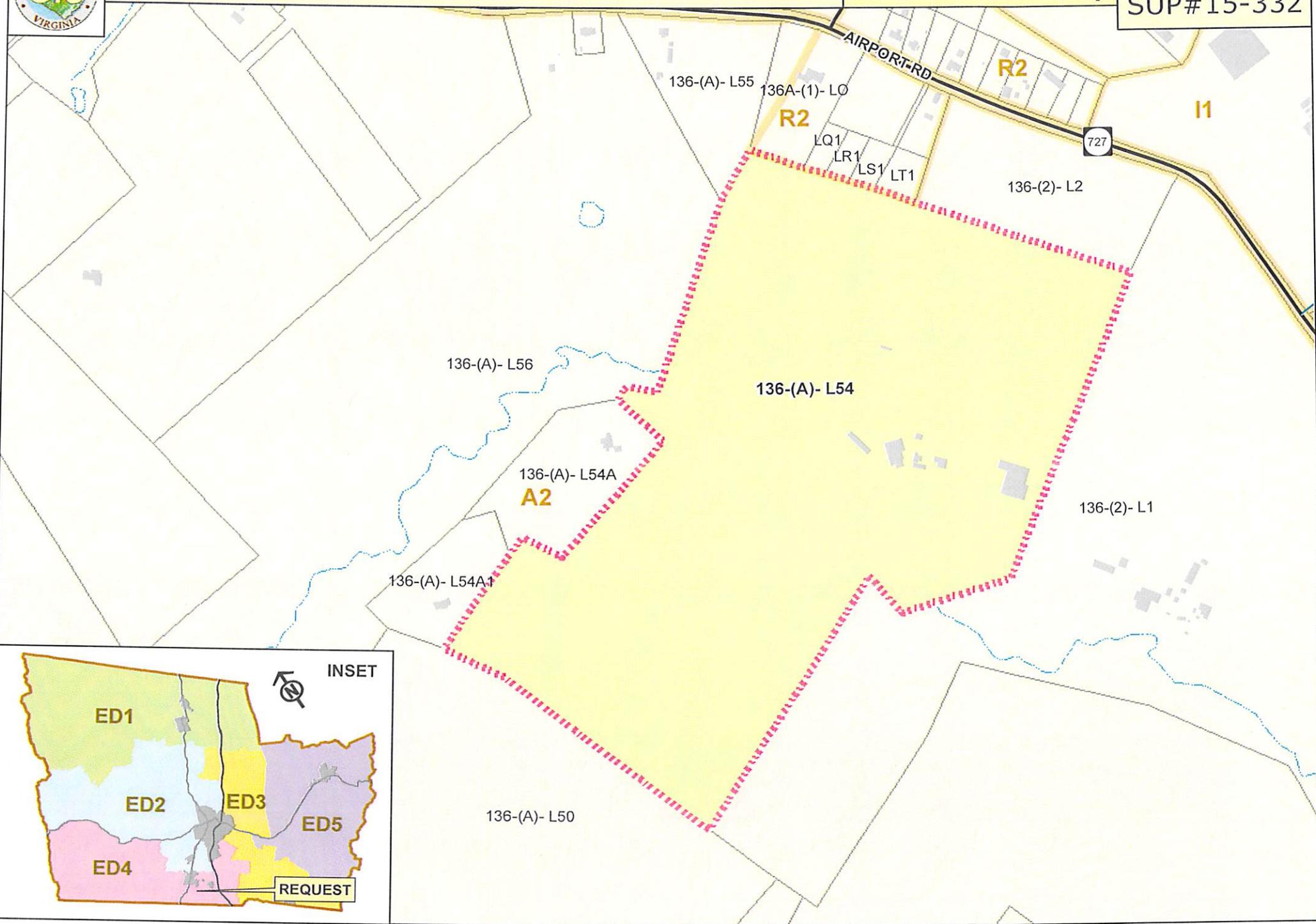


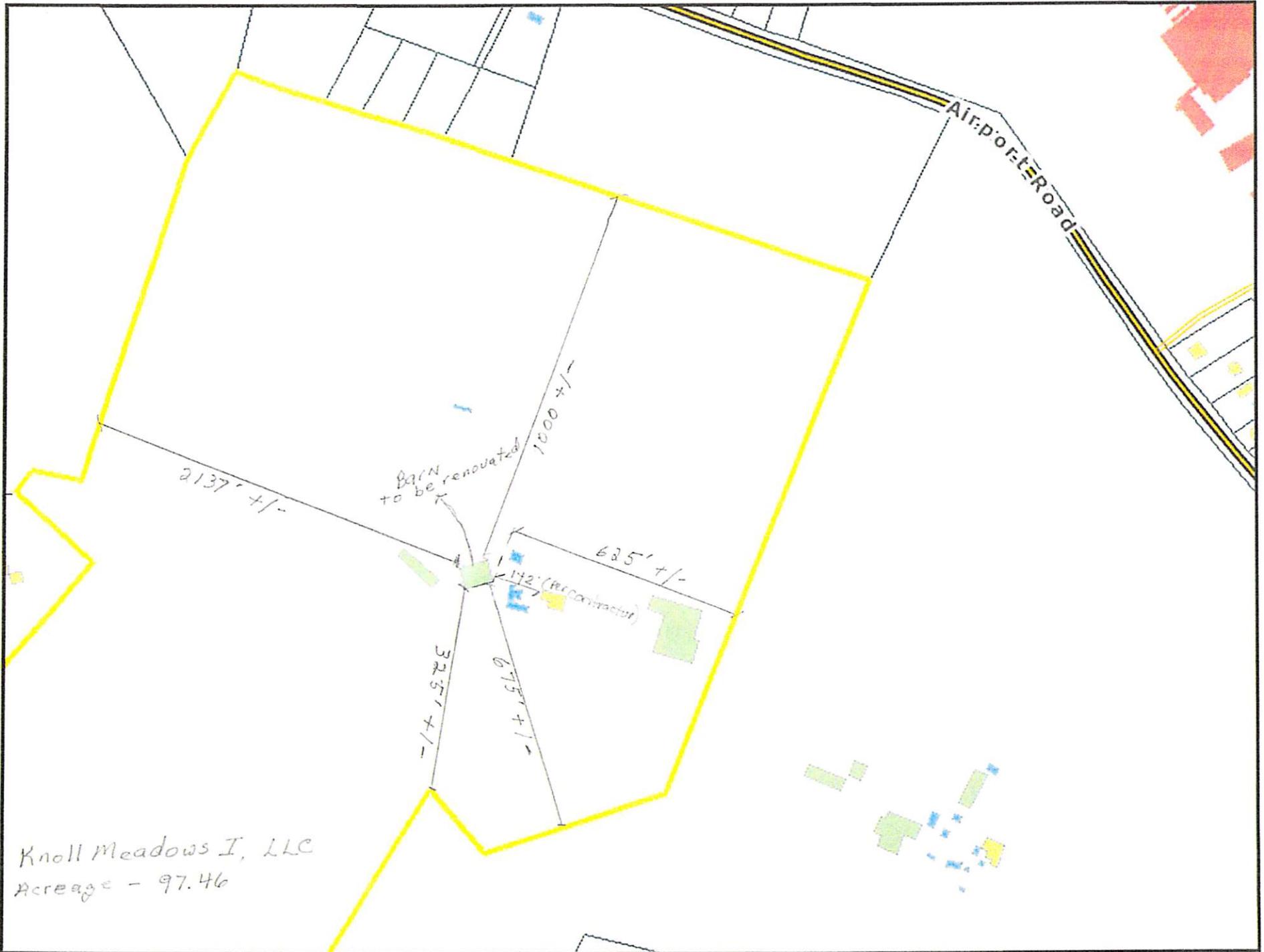
Knoll Meadow LLC Special Use Permit Request

2/10/2016



SUP# 15-332





Knoll Meadows I, LLC
Acreage - 97.46

PUBLIC NOTICE

The Board of Supervisors of Rockingham County gives notice of its intent to adopt a resolution to abandon that undeveloped right-of-way that runs from Steel Road (SR 629) to Grassy Creek Road, (SR711) at its regular meeting on February 10, 2016 beginning at 6:00 p.m. at the Rockingham County Administration Center, 20 East Gay Street, Harrisonburg, Virginia.

A true copy of the proposed resolution and a map showing the location of the right-of-way are available for review in the office of the County Administrator located at 20 East Gay Street, Harrisonburg, Virginia.

By order of the Board of Supervisors of Rockingham County, Virginia

Please publish in the Legal Notices section **February 8, 2016** and **February 10, 2016** and send proof of publication to Tammy Gray, Deputy Clerk, Rockingham County Administrator's Office, 20 East Gay Street, Harrisonburg, VA 22802. Phone: 540.564.3027

RESOLUTION ABANDONING THAT UNIMPROVED RIGHT-OF-WAY RUNNING
BETWEEN STEEL ROAD (SR 629) AND GRASSY CREEK ROAD (SR 711)

WHEREAS, it has come to the attention of the Board of Supervisors of Rockingham County, Virginia, that there exists in Rockingham County a short section of unimproved right-of-way, that is not a part of the secondary state highway system, which unimproved right-of-way runs from Steel Road (SR 629) to Grassy Creek Road (SR 711) (the Right-of-way), and;

WHEREAS, the Board has given notice of its intention to abandon the Right-of-way by posting three signs along the Right-of-way, posting notice at the front door of the Rockingham County Circuit Court courthouse, and publishing notice in two issues of the Daily News Record, a newspaper of general circulation in Rockingham County, all such notices stating the date, time and place that the Board would consider the abandonment, and;

WHEREAS, no petition for a public hearing has been received, and;

WHEREAS, the matter having been duly considered as required by Section 33.2-914, *et seq.*, of the Code of Virginia (1950), as amended.

NOW, THEREFORE, upon motion properly seconded and unanimously approved, it is resolved that the Board of Supervisors of Rockingham County, Virginia, is satisfied that no public necessity exists for the continuance of the Right-of-way as a public road or right-of-way and that the right-of-way shall as of the date of this Resolution cease to be a public right-of-way.

Given under our hand this tenth day of February