

## 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 June 22, 2016

6:00 P.M. CALL TO ORDER – CHAIRMAN WILLIAM B. KYGER, JR.  
INVOCATION – CHAIRMAN WILLIAM B. KYGER, JR.  
PLEDGE OF ALLEGIANCE – DEPUTY COUNTY ADMINISTRATOR STEPHEN G. KING

1. Approval of Minutes – Regular Meeting of June 8, 2016
2. Recognition – County Administrator Joseph S. Paxton upon Retirement with 38 Years of Service
3. Report – Virginia Department of Transportation – Residency Administrator Donald F. Komara
4. Presentation – Harrisonburg-Rockingham-Page Re-Entry Council – Darrell W. Simpson, Re-Entry Case Manager, Harrisonburg-Rockingham Community Services Board
5. Consideration – Concurrence Resolution for the benefit of the Central Shenandoah Criminal Justice Training Academy Authorizing the Issuance of a Not to Exceed \$4,500,000 Economic Development Authority of Rockingham County, Virginia Revenue Bond
6. 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 Public Works – Barry E. Hertzler
  - g. Director of Community Development – Casey B. Armstrong
7. 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
8. Committee Appointments:
  - a. Community Services Board

7:00 P.M. 9. Public Hearings:

- a. Rezoning:

REZ16-131, SVEC, P.O. Box 236, 147 Dinkel Avenue, Mount Crawford, VA 22841, to rezone TM # 123-(A)-L85, totaling 18.027 acres, located northeast of South Valley Pike (Route 11) and east of Oakwood Drive (Route 704), from General Agricultural District (A-2) to General Business District (B-1). The Comprehensive Plan identifies this area as Commercial. It is located in Election District 2.

b. Special Use Permit:

SUP16-132, SVEC, P.O. Box 236, Mount Crawford, 22841 for an increase in building height from 45' to 65' on property located on the northeast side of South Valley Pike (Route 11) and Oakwood Drive (Route 704), Election District #2, zoned A-2 (pending B-1 zoning), Tax Map #123-(A)-85

10. Unfinished Business

\*\*\* ADJOURN \*\*\*

BOARD OF SUPERVISORS PUBLIC HEARINGS  
RULES OF PROCEDURE

1. Public Hearings - the order of presentation shall be as follows, unless varied by the Chairman.
  - a. Staff report.
  - b. Applicant's presentation.
  - c. Comments, statements or presentations from members of the public. If a planning or zoning matter, those who are in support of the matter before the Board will speak first; those who have questions or concerns will speak next; those who are opposed will close the public comment period.
  - d. Questions from members of the Board
2. The initial presentation by the applicant shall be limited to 10 minutes. Additional time will be granted at the discretion of the Chairman.
3. Each speaker shall be limited to 3 minutes, whether speaking on behalf of a group or as an individual. Additional time will be granted at the discretion of the Chairman.
4. When a large group is anticipated, a speakers' sign-up sheet will be located outside the hearing room. Speakers arriving after the commencement of the hearing will be recognized at the discretion of the Chairman.
5. Repetitive testimony is discouraged.
6. All comments shall be directed to the members of the Board of Supervisors. Debate is prohibited.
7. Public remarks shall be confined to the matter under discussion and shall be relevant. The Chairman shall have the authority to end a presentation that violates these rules.
8. Following discussion of all matters considered in the public hearing, the members will consider one of three actions regarding each matter:
  - Approval (with conditions, as applicable);
  - Denial; or
  - Table for further review.
9. Once the public comment period has been closed, no further public input will be permitted unless clarification is requested by a Board member. The response shall address only those questions raised by the member.

Approved by the Board of Supervisors on May 22, 1996.

June 8, 2016

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, June 8, 2016 at 3:00 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:

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  
ANN MARIE FREEMAN, Director of Court Services  
BARRY E. HERTZLER, Director of Public Works  
JEREMY C. HOLLOWAY, Fire & Rescue Chief  
KATHARINE S. McQUAIN, Director of Parks and Recreation  
JENNIFER J. MONGOLD, Director of Human Resources  
TERRI M. PERRY, Director of Technology  
RHONDA H. COOPER, Director of Planning  
DIANA C. STULTZ, Zoning Administrator  
KELLY S. GETZ, Code Compliance Officer  
PETE KESECKER, Development Review Manager  
DIANE LEPKOWSKI, Deputy Zoning Administrator  
JAMES B. MAY, Senior Planner  
LISA K. PERRY, Environmental Manager  
JARED CREWS, Community Development Intern  
TAMELA S. GRAY, Deputy Clerk  
DONALD F. KOMARA, Residency Administrator  
Virginia Department of Transportation  
JOSHUA W. DUNLAP, Assistant Residency Administrator  
Virginia Department of Transportation

**CALL TO ORDER  
INVOCATION  
PLEDGE OF ALLEGIANCE.**

Chairman Kyger called the meeting to order at 3:00 p.m.

Chairman Kyger gave the Invocation and Deputy County Administrator King 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 May 18, 2016.

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**RECOGNITION – DIANE MORRIS, FIRE AND RESCUE TECHNICIAN II.**

Chairman Kyger presented Diane Morris with a clock to commemorate her retirement after 20 years of service with the Fire and Rescue Department.

Chief Holloway expressed appreciation to Ms. Morris, who has worked at the Clover Hill Volunteer Fire Company, Inc. since July 1, 1996 as a paramedic and HazMat Technician. Chief Holloway noted that working in the Clover Hill area; she has worked independently and handled many responsibilities. Ms. Morris previously worked over 11 years with the County Schools as a Bus Driver.

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**CONSIDERATION – RESOLUTION SUPPORTING ALZHEIMER’S AWARENESS.**

Administrator Paxton read a Resolution supporting Alzheimer’s awareness.

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 approved the following resolution:

**RESOLUTION**  
**Alzheimer's Awareness**

**Whereas**, Alzheimer's disease is an irreversible and progressive brain disease that slowly erodes precious memories, thinking skills, and the ability to perform simple tasks; and

**Whereas**, worldwide, every 66 seconds someone develops Alzheimer's or related dementia, and by 2050 it is estimated a person will develop the disease every 33 seconds; and

**Whereas**, in the United States, 5.3 million people are living with this disease, and unless a cure is found, estimates are 16 million will suffer from the disease by 2050; and

**Whereas**, nearly two-thirds of those with Alzheimer's disease are women; and

**Whereas**, Alzheimer's is the sixth leading cause of death in the United States; and

**Whereas**, the Alzheimer's Association is the world's leading voluntary health organization involved in Alzheimer's care, support and research, with a vision of a world without Alzheimer's disease; and

**Whereas**, the Association has established an event, The Longest Day®, on June 20, 2016; the day in 2016 with the most daylight from sunrise-to-sunset, to symbolize the challenging journey of those living with the disease and their caregivers.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, by the Rockingham County Board of Supervisors, on behalf of the citizens of the County, that the Board offers its support to those with Alzheimer's disease, their families and caregivers, and urges each person to learn more about Alzheimer's disease, and to support those with this disease, their families and caregivers by taking part in the activities which are part of The Longest Day® on June 20, 2016.

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**HARRISONBURG VIRGINIA EMPLOYMENT COMMISSION CO-LOCATION WITH VALLEY WORKFORCE CENTER.**

Sharon Johnson, Chief Executive Officer for the Shenandoah Valley Workforce Development Board, Inc., announced that the Virginia Employment Commission (VEC) is co-locating its operations in the Valley Workforce Center located at 160 North Mason Street in Harrisonburg, effective August 1, 2016. The relocation is required to implement the federal Workforce Investment and Opportunity Act, which mandates all VEC local offices be co-located with One-Stop Workforce Centers operated by regional Workforce Development Boards. The Valley Workforce Center supports the co-location and welcomes the VEC into the Center. In addition to the VEC, the Center will house the Department of Aging and Rehabilitative Services, Massanutten Technical Center (adult education and literacy), Senior

Community Service Employment program, Telamon Corporation, other Workforce Innovation and Opportunity Act programs for adults, dislocated workers and youth, Blue Ridge Community College, GoodCare Career Pathways Initiative and Career Pathway for Individuals with Disabilities Initiative, Rapid Response and other community organizations.

The consolidation of agencies will make it easier for job seekers and businesses to access the services of Virginia's workforce system by bringing together all state and federally funded workforce development and job services functions in one location. Discussions are ongoing with other community organizations to move into the Center. The co-location will help the organizations to leverage services, be more efficient and effective in services delivered, and eliminate duplication.

Ms. Johnson indicated having partners in the same place will be a positive change for the service region. There will be a Partnership Memorandum of Understanding for a joint vision and mission. A Cost Allocation Agreement will specify how much each state agency and partner will pay toward the facility costs.

The facility is also located close to social services, social security, probation and parole and is accessible by bus. Impacted employers have been notified of the change, she said.

In response to numerous questions from Supervisor Cuevas, Ms. Johnson indicated the Valley Workforce Center has been located at the Mason Street facility some time, and is working with the Harrisonburg Redevelopment & Housing Authority to assume space in the facility vacated by Blue Ridge Community College. She works with the Shenandoah Valley Workforce Development Board that is responsible for the implementation and oversight of Workforce Investment and Opportunity Act programs and workforce grants. Her administrative office is at the Ice House. She understands the Harrisonburg VEC building is a state-owned property and will be sold. The Department of Aging and Rehabilitative Services will have one office on Mason Street but is looking for additional space elsewhere.

Ms. Johnson informed Supervisor Cuevas that the Workforce Development Board has been working with the Harrisonburg Refugee Resettlement Office and Harrisonburg/Rockingham Interfaith Association to assist immigrants with employment. She talked with poultry employers who work with the VEC about conducting a job fair to help place immigrants in poultry industry jobs. She also noted the Center has been communicating with the Harrisonburg Refugee Resettlement Office about relocating into the Mason Street facility.

Ms. Johnson agreed the referral process across agencies needs to be improved and indicated regional partner meetings should result in a great improvement.

In response to a question from Supervisor Eberly, Ms. Johnson noted the relocation is partly a reduction in force, as they want to eliminate duplicative requirements so people do not have to go through the same assessment at each agency.

**COUNTY ADMINISTRATOR'S STAFF REPORT.**

The Board received and reviewed Administrator Paxton's staff report dated June 2, 2016.

Administrator Paxton announced that effective July 1, 2016, the General Assembly will require local public bodies with a population greater than 250 to post a Freedom of Information Act (FOIA) rights and responsibilities document on their website. Legislation also requires the designation of a FOIA officer to serve as a point of contact for members of the public requesting records, and to coordinate the County's compliance with FOIA regulations.

Since County Attorney Miller has been the point of contact for FOIA requests to ensure compliance with the statutes, staff recommended the Board designate him as the County's official contact person.

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 designated County Attorney Thomas H. Miller, Jr. to serve as the County's Freedom of Information Act officer.

Administrator Paxton indicated Mr. Miller and Terri Perry will work together to post the appropriate information on the County's website prior to July 1, 2016.

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Administrator Paxton recommended the Board appoint Stephen G. King to replace him on several Boards and Committees effective July 1, 2016:

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 appointed Stephen G. King to replace Administrator Paxton on the following Boards effective July 1, 2016:

- Social Services Administrative Board
- Emergency Communications Center Administrative Board
- Harrisonburg-Rockingham Metropolitan Planning Organization Board
- Harrisonburg-Rockingham Community Criminal Justice Board
- Director of Emergency Services
- Clerk to the Board of Supervisors
- Shenandoah Valley Juvenile Detention Home Board
- Rockingham Recreation Foundation, Inc.

**APPOINTMENT – DELEGATE – NATIONAL ASSOCIATION OF COUNTIES (NACo) ANNUAL MEETING.**

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 designated Chairman Kyger as the County’s voting delegate at the National Association of Counties (NACo) 2016 Annual Conference to be held July 22-25, 2016, in Los Angeles County/Long Beach, California.

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**FINANCE DIRECTOR’S STAFF REPORT.**

The Board received and reviewed Mrs. Davidson’s staff report dated June 2, 2016.

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**PUBLIC HEARING – ROCKINGHAM COUNTY LANDFILL AMENDMENT TO THE FY 2015-2016 BUDGET AND RELATED SUPPLEMENTAL APPROPRIATION.**

At 3:28 p.m., Chairman Kyger opened the public hearing and Mrs. Davidson reviewed the amendment to the FY 2015-2016 Budget and related supplemental appropriation for the landfill entrance and upgrade. She indicated a public notice was published in the *Daily News Record* on June 1, and noted a public hearing regarding the landfill and bond issuance was held on March 23, 2016. The bonds were issued on May 25, 2016, and the County received \$4,688,000 from the Virginia Resources Authority. Since the appropriation is more than one percent of the County’s total budget, a public hearing was required to appropriate the funds. Additionally, staff would like to create a landfill capital projects fund to keep track of all capital projects separate from the operating fund. Mrs. Davidson reported that the total of the amendment is \$8,193,000 (\$4,668,324 from VRA plus \$3.5 million previously appropriated by the Board for the landfill project).

No one spoke regarding the amendment to the 2015-16 budget or related landfill supplemental appropriation.

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Chairman Kyger closed the public hearing at 3:30 p.m.

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 approved the following amendment to the FY 2015-2016 Budget and related supplemental appropriation:

**Revenue:**

1411-00000-15101-000-351410-000	Transfer from Landfill Op Fund Reserve	\$2,500,000
1411-00000-11501-000-313100-000	Interest on Investments	\$ 5,359
1411-00000-14104-000-341700-000	Loan Proceeds	\$4,688,324
Total Revenue		\$7,193,683

**Expenditures:**

1411-04206-00000-000-50XXX-000	Landfill Entrance – Various codes	\$7,193,683
Total Expenditures		\$7,193,683

In order to fund the cash portion of the project, a transfer from the Landfill Reserves to the Landfill Capital Fund is required.

1410-09301-00000-000-509548-000	Transfer to Landfill Capital Projects	\$2,630,000
1410-04204-00000-000-508385-000	Operating: Landfill Entrance Project	(\$2,630,000)

Also, construction of the Landfill Cell 5A project will begin in the next several months. The Board previously appropriated funds to the Landfill Operating account. Since this will be tracked in the Landfill Capital Projects fund, a transfer will be required.

1410-04204-00000-000-508363-000	Operating: Landfill Cell 5A	(\$ 870,000)
1410-09301-00000-000-509548-000	Transfer to Landfill Capital Projects	\$ 870,000
1411-00000-15101-000-351410-000	Transfer from Landfill Operating	\$1,000,000
1411-04207-00000-000-508301-000	Capital Projects: Landfill Cell 5A: Earthwork	\$1,000,000

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Administrator Paxton noted that Mrs. Davidson’s staff report indicated Financial Analyst Sandra Riddel resigned. The Finance Committee met and discussed restructuring the position to include procurement. Mrs. Mongold will provide a job description to the Board and the job opening will be advertised.

On motion by Supervisor Cuevas, 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 authorized restructuring the Financial Analyst position to include procurement.

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**FINANCE COMMITTEE.**

Supervisor Cuevas noted the following changes were made to the fiscal year 2016-2017 budget after it was adopted on April 27, 2016:

1. Salary included for a position in the Technology Department to serve as data support for the new courts-public safety-corrections system. The \$41,060 will cover seven months of the fiscal year 2016-2017 budget.

2. Transfer to school capital fund from the County capital fund reserve in the amount of \$205,000.
3. Reduction in the Local transfer to the School in the amount of \$15,580.

Total staff recommended adjustments to the adopted budget result in an increase of \$230,480.

On behalf of the Finance Committee, Supervisor Cuevas made a motion to appropriate the FY 2016-2017 Budget to include the noted changes. Supervisor Breeden seconded the motion.

Chairman Kyger read the following statement for the record:

1. TRANSACTION INVOLVED: Consideration and adoption of a budget, related matters such as tax rates, and other issues concerning schools.
2. NATURE OF PERSONAL INTEREST IN THE TRANSACTION: I am an employee of the Rockingham County School Board. Therefore, I am affected by this Board's decisions concerning school funding and similar issues.
3. As a teacher, I am a member of an occupation the members of which are affected by the transaction specified in paragraph 1.
4. I am able to participate in the transactions fairly, objectively, and in the public interest, and I do intend to vote.

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 appropriated the FY 2016-2017 Budget as adopted on April 27, 2016, with the changes noted, and authorized the Treasurer to transfer funds as shown below:

**ANNUAL APPROPRIATION FOR 2016-2017 BUDGET**

GENERAL FUND

General Government Administration	\$	6,484,587
Judicial Administration		3,953,594
Public Safety		29,168,738
Public Works		3,527,272
Human Services		2,004,295
Parks, Recreation & Cultural		2,407,829
Community Development		2,823,158
Contributions		518,394
Contingency		500,000
Other Expenses		85,000
Transfers to Other Funds		63,238,780
Debt Service – County		2,220,801

Debt Service – Schools	9,148,965
<b>TOTAL GENERAL FUND</b>	<b>\$ 126,081,414</b>
Capital Projects Fund	\$ 9,193,458
School Capital Projects Fund	3,849,500
School Fund	131,434,538
School Cafeteria Fund	5,396,946
School Textbook Fund	-
Massanutten Technical Center Fund	5,536,364
Asset Forfeiture Fund	115,900
H'burg-Rockingham Soc Services District	17,803,052
H'burg-Rockingham Children's Services Act	9,235,150
Central Stores Fund	45,000
Self-Funded Health Insurance Plan Fund	27,810,885
Water & Sewer Utilities Fund	13,069,609
Lilly Subdivision Sanitary District	53,958
Smith Creek Water & Wastewater Auth	414,999
Countryside Sanitary District	19,145
Penn Laird Sewer Authority	29,031
Solid Waste Fund	9,601,261
Laird L Conrad Law Library Fund	50,585
Human Resources Rental Fund	232,774
Emergency Medical Services Transp Fund	1,312,926
<b>TOTAL EXPENDITURES</b>	<b>\$ 361,286,495</b>

Treasurer to transfer from the General Fund to the following funds, as may be required:

School Fund	\$59,353,791
Harrisonburg-Rockingham Social Services District	\$2,339,956
Harrisonburg-Rockingham Comprehensive Services Act	\$1,526,075

Treasurer to transfer \$3,250,171 from the School Fund to the Massanutten Technical Center Fund as may be required.

Treasurer to transfer \$205,000 from the County Capital Fund to the School Capital Fund as may be required.

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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: BREEDON - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board

approved the following supplemental appropriations and transfers as approved by the Social Services Board on April 28, 2016:

**Harrisonburg-Rockingham Social Services District**

1. A transfer from County Independent Living to City Independent Living in the amount of \$2,000.

Transfer: \$2,000

\$ (2,000) GL Code: 1220-05302-10100-000-505770-000 Independent Living-County  
\$ 2,000 GL Code: 1220-05302-10200-000-505770-000 Independent Living-City

2. A transfer from City Auxiliary Grant Aged to City Auxiliary Grant Disabled in the amount of \$20,000.

Transfer: \$20,000

\$ (20,000) GL Code: 1220-05302-10200-000-505702-000 Auxiliary Grant Aged-City  
\$ 20,000 GL Code: 1220-05302-10200-000-505704-000 Auxiliary Grant Disabled-City

3. A supplemental appropriation in the amount of \$5,000 for the City's portion of Refugee Cash Assistance. Federal funding will be provided with no local funding required.

Supplemental Appropriation: \$5,000

\$ 5,000 GL Code: 1220-05302-10200-000-505715-000 Refugee Resettlement-City  
\$ 5,000 GL Code: 1220-00000-13303-000-338983-000 Public Assistance - Federal

4. A transfer from City Adult Protective Services and County Local Only Discretionary to County Adult Protective Services in the amount of \$400.

Transfer: \$400

\$ (338) GL Code: 1220-05302-10200-000-505738-000 Adult Protective Services-City  
\$ (62) GL Code: 1220-05302-10100-000-505790-000 Local Only Discretionary-County  
\$ 400 GL Code: 1220-05302-10100-000-505738-000 Adult Protective Services-County

5. A supplemental appropriation in the amount of \$1,513 for the City's portion of Family Preservation. Funding will be provided as follows: 84% federal funding; .5% state

funding; and 15.5% local funding. The local portion will be funded by a transfer from the City's Local Only Discretionary funds.

Supplemental Appropriation: \$1,513

\$ 1,513 GL Code: 1220-05302-10200-000-505723-000 Family Preservation-City  
 \$ (235) GL Code: 1220-05302-10200-000-505790-000 Local Only Discretionary-City  
 \$ 1,270 GL Code: 1220-00000-13303-000-338983-000 Public Assistance-Federal  
 \$ 8 GL Code: 1220-00000-12401-000-324983-000 Public Assistance-State

6. A supplemental appropriation in the amount of \$3,505 for the County's portion of Family Preservation. Funding will be provided as follows: 84% federal funding; .5% state funding; and 15.5% local funding. The local portion will be funded by a transfer from the County's Local Only Discretionary funds.

Supplemental Appropriation: \$3,505

\$ 3,505 GL Code: 1220-05302-10100-000-505723-000 Family Preservation-County  
 \$ (544) GL Code: 1220-05302-10100-000-505790-000 Local Only Discretionary-County -  
 \$ 2,944 GL Code: 1220-00000-13303-000-338983-000 Public Assistance-Federal  
 \$ 17 GL Code: 1220-00000-12401-000-324983-000 Public Assistance-State

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**HUMAN RESOURCES DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mrs. Mongold's staff report dated June 8, 2016, including information concerning dental insurance for the plan year beginning October 1, 2016.

Staff received seven dental insurance proposals in response to requested bids. Three of those carriers presented their proposals, which mirrored the current plan, to County and School representatives. The current plan has a maximum allowable charge that the carrier negotiates with dentists. MetLife presented a 90<sup>th</sup> percentile plan, which is a richer plan, with a two-year price guarantee 7.4 percent less than the current carrier. The current \$1,000 annual benefit will increase to a maximum of \$1,250, and does include preventive services claims. The rate will be lower than the County's current plan all three years, with the third year not increasing more than 7 percent. Mrs. Mongold noted that the group dental plan, that is 100 percent paid by employees, provides buying power for County and School employees.

On behalf of the Finance Committee, on motion by Supervisor Cuevas, 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 awarded the dental plan to MetLife for the plan years 2016-19, effective October 1, 2016.

The monthly MetLife rates for the next 24 months are as follows:

Employee Only	\$24.32
Employee + Spouse	\$45.24
Employee + 1 Child	\$45.24
Employee + Children	\$71.58
Employee + Family	\$71.58

In response to a question from Supervisor Eberly, Mrs. Mongold indicated close to 80 percent of employees utilize the dental plan.

Chairman Kyger said health and dental insurance were discussed at the National Association of Counties (NACo) Board meeting as one of the big issues facing local government for current employees and retirees awaiting Medicare. NACo may put together a sizable group of members to purchase gap insurance for retirees, he said.

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**PUBLIC WORKS DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mr. Hertzler's staff report dated June 8, 2016.

Mr. Hertzler highlighted a Household Hazardous Waste Collection Day to be held in partnership with the City on June 18, 2016 at the City of Harrisonburg Recycling Facility on Beery Road. The County is also partnering with Four Season Recycling and Trading LLC on a rain barrel and composter sale. Individuals place their order via telephone for items to be delivered to the Administration Center parking lot on June 13, 2016.

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**PUBLIC WORKS COMMITTEE.**

On April 22, 2009, the Board discussed the County's summer sewer billing practice that exonerated homeowner's outdoor water use from sewer charges during the months of June, July and August and encouraged increased water usage during the summer months, which are historically the most important months for water conservation. At that time staff recommended promoting water conservation and adhering to water supply planning regulations by terminating the summer sewer billing practice.

Supervisor Cuevas noted staff recommended that the current water and sewer billing calculation method remain in place and did not recommend reinitiating the Summer Sewer Program.

By consensus of the Board, the current water and sewer billing calculation method will remain in effect; the Summer Sewer Program will not be reinitiated.

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On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board authorized the acceptance of a proposal from Valley Engineering for engineering services on the addition of a third lane on Spotswood Trail (Route 33) between the new Stone Spring Road (Route 280) and Massanetta Springs Road (Route 687) at a cost not to exceed \$179,724; and acceptance of a proposal from Froehling & Robertson, Inc. to perform geotechnical work at a cost not to exceed \$14,750. The County will contract directly with Froehling & Robertson, Inc. for the Massanetta Springs geotechnical work.

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#### **COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mr. Armstrong's staff report dated June 8, 2016.

Lisa Perry presented a stream restoration project brought to the County by Dr. Jim Yoder, who has worked at Eastern Mennonite University in environmental science and biology for 17 years. Dr. Yoder and Annemarie Abbondanzo, Project Scientist with Ecosystem Services, were in attendance.

The project, which is partially underway, is a grant-funded initiative with the community of Bergton, Eastern Mennonite University, the Smithsonian Institute, Shenandoah Valley Soil and Water Conservation District and Ecosystem Services to restore water quality and habitat to the head waters of the North Fork of the Shenandoah River, specifically Bennett Run and Crab Run in the Bergton area. The initial goals of the project are to conduct a watershed assessment and restore a section of the stream to stabilize eroding channels, preserve native vegetation and install and repair buffers. Other goals and outcomes are nutrient removal, flood mitigation and an educational example of ecological restoration as well as agricultural best management practices.

Mrs. Perry reviewed the pollution abatement aspect, indicating the project would be eligible for a credit for the MS<sup>4</sup> stormwater permit requirements if the County becomes an MS<sup>4</sup> locality. She noted approximately 122 pounds of phosphorous will be removed per year at a cost of \$2,000 to \$3,000 per pound. On the nutrient trading market, one pound of phosphorous is worth about \$20,000, 10 times more cost effective than purchasing trade on the trade market and more cost effective than installing a new stormwater best management practice. Stream restoration is competitive and cost effective as a method of performing pollution reduction.

The upfront investment in the project could reduce the need for the County to impose a stormwater fee to meet MS<sup>4</sup> requirements in the future.

The project will make the area less susceptible to flooding. The group hopes to gain community interest and expand into new areas. The bridge near the Bergton store is one of the targeted areas because it requires maintenance to restore capacity. On any project the County partners with, funds will be assessed by FEMA and looked upon favorably to provide more favorable insurance rates for residents.

The assessment phase has started and researchers have located places where property owners have straight pipe systems that dump into the creek. Staff believes this could be an opportunity to connect these property owners with organizations such as the Southeast Regional Community Assistance Program (SERCAP) that can provide funding and assistance for new septic systems.

Mr. Armstrong noted SERCAP funds are available for low-income property owners, but he is not aware of the amount. The difficult part is finding straight pipes. Once located, people need to engage in the program.

Supervisor Cuevas confirmed the location of the project with Dr. Yoder, who indicated there are educational opportunities. EMU students performed monitoring and water shed assessment work. He said as the project grows and sites are added, there will be a great opportunity in that area of the County for elementary, middle and high school students to learn in the field. He noted there could be additional grant opportunities as the project grows. EMU is excited and committed to the project supported by a National Fish & Wildlife Foundation grant.

Chairman Kyger suggested Dr. Yoder contact some of the local Future Farmers of America (FFA) groups to determine what they have done along this line. He noted Turner Ashby High School's FFA has been working with the Bay Foundation, Smith Island and others on student exchange programs.

Mrs. Perry explained the purpose of her presentation was to introduce the project to the Board. EMU and Ecosystem Services representatives plan to visit the Board in August to request funding. Since a local stormwater assistance fund is only available to localities, they need to partner with a locality to obtain this funding.

Supervisor Cuevas indicated he is in favor of the stream project but would like more information before fully supporting it. He wants to be able to explain the benefits and expenditures to taxpayers to ensure them this project is in the best interest of the general public. He wants to be able to explain why that section was selected for the project rather than the eastern section of the stream where it floods frequently.

Mrs. Perry stated the group has received a permit from the Army Corp of Engineers and is in the process of obtaining a required permit from the County.

Dr. Yoder explained the watershed assessment is being performed by students who evaluate where the need is and where the opportunities present themselves. The group will expand to other projects in the future. In an attempt to involve the community, they have held public meetings and received participation from many people. He noted they have provided presentations to the Bergton Ruritan Club.

Mrs. Perry reiterated more details will be presented to the Board regarding this project in August during the request for funding.

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Supervisor Eberly made a motion, seconded by Supervisor Chandler, to remove from the table SUP16-082, Sandra G. Heatwole, 917 Muddy Creek Road, Rockingham 22802 for a flea market on property located on the west side of Muddy Creek Road (Route 752) approximately 9/10 mile north of Rawley Pike (Route 33), Election District #2, zoned A-2. Tax Map #91-(6)-8

Supervisor Eberly indicated he visited the property but he is not sure a flea market is the proper term for what Ms. Heatwole desires. He noted a significant number of people want to sell garden produce at their market.

Ms. Stultz indicated Ms. Heatwole applied for a special use permit for a flea market to sell household items and that is what is before the Board for action. She explained that a flea market is different from a farm market. Ms. Heatwole can sell her own vegetables by right on her property but she needs to obtain a special use permit for a farm market in order for other people in the community to sell farm products from the Heatwole property. Ms. Stultz noted she explained this to Ms. Heatwole.

Supervisor Eberly said he thinks this is a good idea and the sight distance is acceptable.

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 SUP16-082, Sandra G. Heatwole, 917 Muddy Creek Road, Rockingham 22802 for a flea market on property located on the west side of Muddy Creek Road (Route 752) approximately 9/10 mile north of Rawley Pike (Route 33), Election District #2, zoned A-2. Tax Map #91-(6)-8

Supervisor Eberly considers this a farm to table operation that could be used by the local community and operate two days a week, but said he is uncertain about the flea market aspect.

Ms. Stultz reiterated that the applicant applied for a special use permit for a flea market. If the current special use permit request is approved, Ms. Heatwole cannot sell vegetables grown by other individuals. She can sell produce grown on her farm by right, but

in order for other people to sell their products on her property, she would need a different special use permit, which she needs to discuss with staff.

Supervisor Eberly made a motion to approve SUP16-082, Sandra G. Heatwole, 917 Muddy Creek Road, Rockingham 22802 for a flea market on property located on the west side of Muddy Creek Road (Route 752) approximately 9/10 mile north of Rawley Pike (Route 33), to operate two days a week (Friday and Saturday).

The motion failed for lack of a second.

Supervisor Breeden explained that he has a concern with a flea market and the comparison of a flea market to a farm market. He said he could be in agreement with a farm market.

Supervisor Cuevas expressed concern that a farmers market is seasonal and a flea market remains with the property regardless of who owns it. A flea market can take many different shapes, he said. The applicant also was uncertain if the market would be outside or inside. Supervisor Cuevas has concerns with a flea market in that location instead of a farm market, which the Board would encourage.

Chairman Kyger requested a motion to return SUP16-082 for Sandra G. Heatwole to the table, or a motion to deny the request.

Supervisor Eberly made a motion, seconded by Supervisor Breeden, to return to the table SUP16-082, Sandra G. Heatwole, 917 Muddy Creek Road, Rockingham 22802 for a flea market on property located on the west side of Muddy Creek Road (Route 752) approximately 9/10 mile north of Rawley Pike (Route 33), Election District #2, zoned A-2. Tax Map #91-(6)-8

Supervisor Breeden said he believes Supervisor Eberly is trying to work with the applicant regarding the difference between a flea market and farm market.

County Attorney Miller stated Ms. Heatwole might want to modify her special use permit request to be a farm market. If so, a new review period is required. Since this would not be a modification to the original application, an entirely new application will be advertised.

In response to concerns from Supervisor Cuevas, Ms. Stultz explained the definition of a farm market includes a certain percentage of products grown in other areas. If flowers are sold, pots and potting soil can also be sold, but flea market items cannot be sold at a farm market.

Administrator Paxton indicated a flea market request becomes complicated when requested in an agricultural zone.

Chairman Kyger noted the County is attempting to promote agritourism and expand agribusiness to provide additional income for farmers, but has to work within a reasonable use of the land and surrounding land. The state has made rules and regulations so ambiguous that it is difficult to define, he said. Chairman Kyger noted that since the public's health and safety is a primary concern, a statewide standardized process is needed for guidance.

Carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board tabled SUP16-082, Sandra G. Heatwole, 917 Muddy Creek Road, Rockingham 22802 for a flea market on property located on the west side of Muddy Creek Road (Route 752) approximately 9/10 mile north of Rawley Pike (Route 33), Election District #2, zoned A-2. Tax Map #91-(6)-8

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#### **TECHNOLOGY DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mrs. Perry's staff report dated June 2016.

Mrs. Perry indicated she is interviewing candidates to replace Administrative Assistant Krista Cosner, who accepted a position with the Rockingham County Public School System.

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#### **FIRE AND RESCUE CHIEF'S STAFF REPORT.**

The Board received and reviewed Chief Holloway's staff report dated June 2016.

He reported that Lieutenant Powell held a ceremony for Massanutten Technical Center fire and rescue students who plan to further their education and knowledge through college. He said some students were tested over the weekend and performed exceptionally well. Chief Holloway looks forward to hiring most of the students on a full-time or part-time basis. The program that started in 2006 has provided the County with many volunteers and paid personnel. Training students during the day has been valuable, he said.

Chief Holloway reported that he visited the Showalter's Orchard & Greenhouse agritourism business to look at their facilities since they plan to expand in the future. He plans to work with them to ensure farm buildings are safe and provide emergency access, which is a concern of the Board as the agritourism industry develops. He noted Showalter's is developing the agritourism business as a place for future generations to continue farming. He expressed appreciation that Showalter's allowed him to visit their facility. They are also considering a location for a dry hydrant system to meet fire flow. Chief Holloway indicated a dry hydrant could serve Showalter's Orchard & Greenhouse and a nearby shop, while also reducing the Insurance Service Office (ISO) rating for area residents.

Chief Holloway hopes more farmers will meet with Fire and Rescue in the future. If they consult with the County at the beginning of a project, a compromise may be reached. If not, legislative changes may make it difficult for farmers.

Chairman Kyger advised that there is a Virginia Division of Forestry dry hydrant grant and they are seeking applicants for it. Chairman Kyger stated that a reduced ISO rating will decrease insurance premiums to save money in the long term. Chief Holloway noted that Public Works has been assisting with hydrants.

Mr. Miller indicated staff is working within the confines of the State Code to address public safety issues with agritourism businesses, while supporting objectives of farmers to make more money and attract new business operations. Staff has been in contact with other localities about how they address agritourism.

Chairman Kyger stated the Commonwealth looks to Rockingham to be the agritourism leader. The County needs to develop trust and communication with farm businesses to partner and find solutions. Staff should encourage citizens who want to start or expand a farm business and create a comfortable environment for business owners to talk with County staff.

Chief Holloway noted that farmers need to turn their farmland into a business rather than put a business on farmland.

Supervisor Breeden stated there will be requests on farm parcels that are not suitable for agritourism businesses, particularly where lots have been sold and houses built. Since the County will find it is best to deny some requests, the Board does not want to create a situation that will make it difficult to do so.

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#### **PARKS & RECREATION DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mrs. McQuain's staff report dated June 2016.

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#### **COURT SERVICES DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mrs. Freeman's staff report dated June 8, 2016.

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#### **ADDITIONAL COMMITTEE REPORTS.**

The Board heard additional committee reports from Board members and staff.

BUILDINGS AND GROUNDS

Supervisor Eberly advised that the committee reviewed several projects that have been completed.

CHAMBER OF COMMERCE

The Chamber has been busy and had a record year with the Fun Fest event. Supervisor Eberly suggested Board members and staff review Chamber emails to see what is happening and support the many Chamber Business After Hours events.

COMMUNITY CRIMINAL JUSTICE BOARD

Administrator Paxton indicated a Community Criminal Justice Board meeting is tentatively planned in late August 2016.

MASSANUTTEN REGIONAL LIBRARY

Supervisor Chandler reported the library committee prepared a new budget.

SHENANDOAH VALLEY PARTNERSHIP (SVP)

Assistant County Administrator Anas reported there have been personnel changes at the SVP and they are in the process of filling two new positions. He noted Dr. John Downey will take over as Chairman on July 1 and the Partnership plans to change its direction.

The Virginia Economic Development Partnership International Division will visit the Valley. Representatives from Europe, the United Kingdom, China, India and Japan will spend two days becoming familiar with products in Rockingham and neighboring counties.

VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Chairman Kyger announced the VACo County Officials' Summit will be held August 18 – 19 at the Four Points by Sheraton in Richmond. The institute will be held at another location.

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**COMMITTEE APPOINTMENTS.**

On motion by Supervisor Cuevas, 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 appointed William B. Kyger, Jr. to serve as Chairman on the Community Criminal Justice Board.

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 made the following appointments to the Bicycle Committee:

Seth Berkey to fill an unexpired term to expire December 31, 2016  
Corrie Green to fill an unexpired term to expire December 31, 2017

Administrator Paxton said appointments should be made to the Community Services Board during the June 22, 2016 meeting.

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**CLOSED MEETING.**

Consultation with legal counsel and staff was added to the closed meeting, with no action to be taken.

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 recessed the meeting from 4:37 p.m. to 4:53 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; 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.

MOTION: SUPERVISOR EBERLY            RESOLUTION NO: 16-7  
SECOND: SUPERVISOR CHANDLER      MEETING DATE: JUNE 8, 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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**RECESS.**

At 4:53 p.m., Chairman Kyger recessed the meeting for dinner.

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**ANNOUNCEMENT/CALL TO ORDER.**

Chairman Kyger announced that special use permit 16-119 for Littlest Lamb Child Care Center, Inc. was withdrawn.

At 6:00 p.m., Chairman Kyger called the evening portion of the Board of Supervisors Meeting to order.

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**TRANSPORTATION DEPARTMENT.**

Mr. Komara reported on the activities of the transportation department including updates to the Lee Highway/South Valley Pike (Route 11) bridge repairs and improvement to the South Eastside Highway (Route 340) and Port Republic Road (Route 253) intersection.

Recent maintenance includes skin patching and asphalt, as well as grading gravel roads to prepare for dust control. He noted dust control is not as crucial with increased rain this spring, but VDOT will treat the highways as needed.

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Mr. Komara indicated the proposed improvement program mostly addresses gravel roads. He noted the secondary road system consisting of route numbers 600 and above used to be requested. Route numbers below 600 are part of the primary road system.

He explained that a new House Bill 2 (HB2) process addresses hard surface roads submitted by the County and towns. Those roads are weighted, evaluated and graded statewide with other similar roads, based on congestion mitigation, safety, environmental quality and accessibility, along with land use in larger jurisdictions. The County submitted three HB2 projects last year and was awarded two projects: Route 11 from Cecil Wampler Road (Route 704) north to the Harrisonburg City limits; and Rawley Pike (US Route 33) from the bottom of Shenandoah Mountain halfway up the mountain. Those projects amounted to \$10 million to be funded in the next six years. If the US Route 33 project was requested to the top of the mountain, it may have been too expensive to be warranted.

He briefly reviewed the road projects included in the Secondary System Construction Program. He pointed out all the roads have a vehicle count of over 100 vehicles per day (they must serve 50 vehicles a day to qualify).

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Administrator Paxton presented a resolution granting funding commitment and signature authority to the County Administrator to execute agreements with the Virginia Department of Transportation and expedite projects. He requested that the Board adopt the resolution, which was reviewed by the County Attorney.

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 adopted the following resolution:

**RESOLUTION  
FOR BLANKET PROJECT FUNDING COMMITMENT AND  
FOR BLANKET SIGNATURE AUTHORITY**

WHEREAS, Rockingham County administers transportation projects under agreement with the Virginia Department of Transportation; and

WHEREAS, Rockingham County desires to provide clear commitment for funding these transportation projects and clear signature authority for signing the Project Administration agreements.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Rockingham County, Virginia that:

1. Rockingham County hereby commits to fund the local share of preliminary engineering, right-of-way and construction (as applicable) for projects authorized by the Board and under agreement with the Virginia Department of Transportation in accordance with the project financial document(s).

2. The County Administrator is authorized to execute all agreements and/or addendums on behalf of the County for any approved projects with the Virginia Department of Transportation.

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**PUBLIC HEARING - VIRGINIA DEPARTMENT OF TRANSPORTATION  
SECONDARY ROAD SIX-YEAR IMPROVEMENT PROGRAM.**

At 6:12 p.m., Chairman Kyger opened the public hearing to hear public comment on VDOT’s Secondary Six-Year Improvement Program.

Jim Peters from Broadway asked about plans to improve Mayland Road (Route 259) from Interstate 81 to Broadway. Administrator Paxton responded this road was submitted for HB2 approval. It received a high rating, but was not ranked high enough to receive funding this year. He said the Board will likely resubmit that project. Improvements will be made in sections and the initial portion to be improved is from Bryan Tool & Machining, Inc. to the Broadway Town limits. Administrator Paxton and Supervisor Cuevas are aware there is a lot of heavy truck traffic and shoulder issues where the road is narrow.

No other citizens spoke regarding the projects in the six-year improvement program.

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At 6:15 p.m., Chairman Kyger closed the public hearing and reconvened the regular meeting.

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 adopted the Secondary Six-Year Improvement Program for Fiscal Years 2017-2018 through 2021-2022 as follows:

Secondary System  
Rockingham County  
Construction Program  
Estimated Allocations

Fund	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022	Total
CTB Formula – Unpaved State	\$637,019	\$751,155	\$864,082	\$830,452	\$0	\$0	\$3,082,708
Secondary Unpaved Roads	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TeleFee	\$209,463	\$209,463	\$209,463	\$209,463	\$209,463	\$209,463	\$1,256,778
Residue Parcels	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STP Converted from IM	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP – Bond Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Formula STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MG Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0
BR Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Other State Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
District Grant - Unpaved	\$0	\$0	\$0	\$0	\$1,666,020	\$1,166,020	\$2,332,040
Total	\$846,482	\$960,618	\$1,073,545	\$1,039,915	\$1,375,483	\$1,375,483	\$6,671,526

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**PUBLIC HEARING - SPECIAL-USE PERMITS.**

At 6:16 p.m., Chairman Kyger opened the public hearing and Ms. Stultz reviewed the following special-use permits:

SUP16-111 Micah Reish, 13812 South Sunset Drive, Broadway 22815 for a modification to supplemental standards to single-family dwelling with independent living quarters to increase the size from allowed 694 sq. ft. to 980 sq. ft. on property located on the east side of South Sunset Drive (Route 617) approximately 3000' south of the Broadway Town Limits, Election District #1, zoned A-1. Tax Map #51-(A)-146A

Supervisor Cuevas reminded the applicant of a discussion where he indicated the home cannot be used as a rental property, if the special use permit is approved.

The applicant was present.

No one spoke in opposition to the request.

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SUP16-113 Kim Dudley Farley & Kehris Snead, 110 Millview Drive, Bridgewater 22812 for entertainment outside of building (obstacle course), entertainment inside a building (sports building) event venue with waiver to supplemental standard that would not require owner or manager to live on the property, and country inn (bed & breakfast) with waiver that would not require owner or manger to live on the property and which would permit them to leave fruit and pre-packaged breakfast bars in room instead of preparing breakfast. on property located on the southeast side of Happy Valley Road (Route 758) approximately 1700' east of Mountain Valley Road (Route 620), Election District #3, zoned A-2, Tax Map #111-(A)-44. Property address: 3451 Happy Valley Road

Kim Dudley Farley’s husband, Stacy Farley, noted the Happy Valley Road property belongs to his father-in-law and is a beautiful location where he and his wife were married. He believes the proposed activities will be an asset to the community because the applicants plan to make property improvements and do not intend to hold big events. He noted the current parking lot accommodates 75 vehicles.

Kehris Snead said there were concerns that the obstacle course did not fit in with surrounding farmland. She said they want to construct a course similar to the one at Brethren Woods to be used for team building and corporate events. It will not be large because they do not want to impede on the community; their desire is to enhance the property. There will not be a treetops course; most obstacles will utilize the land such as climbing ropes attached at the top of the hill and participants dragging cinder blocks across the ground. There will be small structures but nothing that will be unsightly. She noted not all the obstacles have been determined yet but no engineered structures are planned.

Benjamin Pellegrin said he, his wife and children live on a property that adjoins the proposed site and shares the single-lane gravel road where his children walk and ride their bicycles. Mr. Pellegrin noted the driveway is approximately 500 feet long. He questioned whether alcohol would be permitted at the events. Chairman Kyger responded that if so, an Alcoholic Beverage Control permit would be issued or a banquet permit would be obtained for each activity. In addition to safety concerns for his children, Mr. Pellegrin expressed concern about noise and increased traffic.

Eugene Stoltzfus said he noticed in Ms. Stultz's presentation that as many as 500 people could be on the property and that activities would occur on Sundays. It was noted that the applicants originally requested a maximum attendance of 500. Ms. Snead indicated they requested a high number because they would eventually like to hold one event a year similar to the Dayton Muddler. If that is not permitted, they will not sponsor such events, Ms. Snead said.

Administrator Paxton clarified that when VDOT approved the road for 50 trips (25 vehicles a day), that is the maximum allowed unless a commercial entrance is installed to VDOT specifications.

David Briggman visited the proposed site and noted there is currently a one-lane entrance to a very long driveway. He asked what would happen if cars meet because it appears they would need to drive on private property in order to pass each other.

Vince King expressed concern that the applicants are seeking waivers to zoning requirements such as an inn with no one living on site. His impression of the original zoning intent was to maintain the nature of the site while allowing a small business to operate. He said seeking waivers violates the intent of the original zoning.

Janet Trettner said she would like to know more about what the applicants are planning. When she moved to the area, she was attracted to the quiet, country setting. She noted increased traffic and music until 11 p.m. will impact the neighborhood. She asked if all-terrain vehicles and motorcycles will be used in the obstacle course.

Mr. Stoltzfus questioned how many overnight guests will be permitted.

Leslie Pellegrin asked who would be responsible for the upkeep of the right-of-way due to wear and tear on the road, and what improvements are planned. She noted the lane is currently in bad shape.

Administrator Paxton responded to Mrs. Pellegrin that the maintenance of the right-of-way would depend on who owns the right-of-way and uses it. Mr. Pellegrin noted he is the only one who has maintained the right-of-way in the past.

Rick Altizer expressed concern with traffic safety on Mountain Valley Road (Route 620) since it is a secondary single-lane road. He noted many bicyclists ride there on weekends and tractor-trailers use it when making deliveries; it is not a striped road. Mr. Altizer believes this is the wrong venue for this area.

Bill Hill said there is a draw from the field on the proposed property into his back yard, that then flows into a neighbor's side yard. He expressed concern with mud flowing into his yard during the tough muddler. Chairman Kyger indicated a muddler is an obstacle course that consists of a small mud pit, but Mr. Hill said there were huge mudslides at the muddler in the Dayton area after a hard rain.

Kim Sandum stated that in viewing the map, she believes this is not the right location for this use. The residents in the numerous houses around the property will be significantly impacted. She said a dirt lane is not appropriate for a bed and breakfast and activity center. She also disagrees with a waiver for no one to live on the property. All those issues raise concerns that do not make this the right request for the property, she said.

Chad Higgs presented the Board with photographs of the existing roadway to this property. He has concerns about the roadway, traffic, noise, and this business in farm country. He also provided pictures of bicycle and vehicular traffic problems currently in the area. Mr. Higgs indicated the road is insufficient for the uses transpiring now. He also mentioned school traffic, speeding issues and tractor-trailers traveling to the Packsaddle Ridge Golf Course. He considers this area a "porch and yard" community where many people sit outside. Mr. Higgs said no one in the community wants to see 25 additional cars for this venue.

David Briggman said the nature of Keezletown is a rural community except for Brethren Woods, the Packsaddle Ridge Golf Course and an automobile garage. Increased bicycle traffic is starting to become a problem since vehicles must travel three feet to the left of bikes. He expressed concern about the supervision of overnight guests if a manager is not there. Mr. Briggman reported parties used to be held on the property and someone attending a party stole a neighbor's car. He hopes the Board will consider denying the special use permit request because it does not fit in Keezletown.

Joe Yoder, who lives a quarter to a half mile from the proposed site, moved into the community in 1981 because it is quiet, with no streetlights or noise. He indicated music and noise until 11 p.m. is not the nature of the neighborhood.

Mr. Yoder read a statement from Jason Myers-Benner, who lives 100 yards from the proposed special use permit site. Mr. Myers expressed concern about traffic, noise and disturbance two doors from his home. He indicated yelling is normal at team building events. He also noted the neighbors were not aware of the request until a week ago. He has lived there 10 years and does not know the applicants or their motives. He asked that the applicants withdraw their request and get in touch with the values of the neighborhood before reapplying for a special use permit.

Mr. Yoder is also concerned because 12 to 40 bicyclists from Massanutten, Harrisonburg and Keezletown ride mountain bikes through the area each day. The area residents enjoy the bikes and are comfortable traveling safely around the bicycles. Mr. Yoder believes out-of-town motorists on unfamiliar roads may not be as cautious or drive as slowly, creating a traffic hazard for the bicyclists. He stated Massanutten Resort has a bike trail but does not maintain their parking area across from the trail, and the parking area has no culvert for water flow. He deals with the issue because he is glad the bicyclists are enjoying the area and nature.

Stephanie Fleisher said she moved to the country setting for a reason. She stated the roads are not appropriate for this special use and the area is not a proper place for it.

Jean Andrews noted traffic concerns because her family owns land on both sides of the road on a curve, and they move farm equipment across the road. She said motorists speed and she is scared for her safety. Ms. Andrews said more cars, even 25, will be a major impact. She also noted there were originally 75 parking spaces on the proposed property, which she knows can be altered. She said noise travels in the valley and when people have parties, she can hear what they are saying when they are farther from her property than the proposed site. Since the owners will not live onsite, she wonders what will happen with the obstacle course not being overseen.

Joe Smith indicated not having a manager on the property opens it up for “anything goes”. He wonders who will control traffic, people, and what transpires on the property.

Robert Myers stated a lot has been addressed and he agrees with everything negative. He thought a bed and breakfast was where a manager was on site and breakfast was provided each day. He realizes the Board can grant waivers but said Keezletown is a family community where people talk with and wave at each other. The proposed business is not what the community is about, he said.

Samuel Johnson has lived two properties away from the proposed site on a private road for 38 years. He is involved with agriculture (vegetables, grapes and an orchard), which is an important part of the community and he wants it to remain that way. Mr. Johnson noted five homes are down the slope from the proposed obstacle course and said whatever is happening on the course will affect neighbors who adjoin that property. He expressed concerns about traffic, the number of people and noise. He lives on the other end of the ridge but has heard

the crowd, music and fireworks from parties on the proposed site. He is also concerned about conducting a business without the owners living on the property.

Emily Blake lives in Keezletown. She expressed concern for the Keezletown and Harrisonburg areas, and bicycle safety and tourism being compromised for the broader community.

Wayne Teel, who teaches environmental science at James Madison University, said parking is a concern because of runoff from an impervious surface in a very steep area. He noted that if the parking surface is impervious or paved, damage can be caused by mud going through neighboring yards.

Chairman Kyger asked for a show of hands from people opposed to the special use permit request, and asked if there was new information in opposition to the request not yet addressed.

Since there were no additional comments, Chairman Kyger asked the applicants to respond to some of the questions.

Kehris Snead indicated that the parking lot will be gravel. Management does not anticipate anyone living on the property to manage the inn but staff will be onsite to oversee the obstacle course when it is open. The obstacle site will be available during regular operating hours on weekends and by appointment during the week for corporate events. One of the owners will staff wedding events and management will not open the event center for unstaffed parties. Ms. Snead said all the applicants have good reputations and they will operate a reputable business. The obstacle course will close at 6 p.m., and the cut-off for weddings will be around 9 p.m. Since Stacy Farley, who owns Fine Earth is involved, they will landscape to create barriers.

Mr. Farley said landscaping is planned on the down slope side of the property, with trees that grow quick to serve as a buffer. They will not have an unsightly property. The bed and breakfast has four units so there will be a maximum of four families using the facility at a time. Overnight guests will be screened and the applicants do not intend to rent to people who will not be respectful of the property or the neighborhood. Individuals and businesses using the obstacle course will be paying customers who will want to maintain the course so they can use it again. Mr. Farley indicated the applicants will do their part to maintain the lane. He agreed some parts of the lane are narrow, but said most of it has 21 to 22 feet of access. They plan to create turnouts along the narrow portions of the lane so vehicles can pass each other. Since VDOT allows a maximum of 25 cars to travel on the lane per day, the amount of traffic is limited, he said. Mr. Farley noted there are more than 25 cars a day utilizing the Massanutten bike trails and golf course. He closed by stating they intend for their business to be a positive addition, not a detriment, to the community.

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At 7:04 p.m., Chairman Kyger closed the public hearing to vote on the first two special use permit requests.

Supervisor Cuevas indicated he visited the Reish property and met with the neighbors.

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, with the following conditions, approved SUP16-111, Micah Reish, 13812 South Sunset Drive, Broadway 22815 for a modification to supplemental standards to single-family dwelling with independent living quarters to increase the size from allowed 694 sq. ft. to 980 sq. ft. on property located on the east side of South Sunset Drive (Route 617) approximately 3000' south of the Broadway Town Limits, Election District #1, zoned A-1. Tax Map #51-(A)-146A.

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. Area used for the independent living quarters shall not exceed 980 sq. ft.
4. This permit is contingent upon applicant obtaining property through adjoining transfer in order for the addition to fit on the property.

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In reference to the Kim Dudley Farley and Kehris Snead request, Supervisor Chandler indicated he was considering recessing the public hearing because the neighbors may be willing to negotiate with the applicants, who may consider modifying their request. He thought by recessing the public hearing, it could be reopened to receive comments on a modified request. He explained to the public that if the request is tabled and the applicants modify the request, it might be removed from the table and voted on without the neighbors being notified.

Administrator Paxton indicated recessing a special use permit is not an option. He explained a rezoning public hearing can be recessed because the conditions limiting and controlling the activities on the site are provided from written proffers submitted by the applicant, often during the hearing. Conditions for special use permit requests are developed by staff and the advertisement includes the conditions, and therefore the hearing for the special use permit includes comments regarding the conditions for this particular request. Administrator Paxton noted the applicants have the option to withdraw the special use permit,

if the Board permits, and start the process over. Otherwise, the Board has the option to vote to approve, table or deny the request.

Mr. Miller indicated if a special use permit is modified, unless the change is administrative in nature, the process will start over so the revised conditions can be advertised. He noted significant changes make it a different special use permit request, so it is better for the applicants to withdraw their request and apply for a new special use permit request if they desire. If the special use permit is denied, the applicants will have to wait one year to reapply. If the special use permit request is tabled and numerous changes are made, it will have to be advertised again and another public hearing will occur. He reiterated to the applicants that they can withdraw the application prior to the Board taking action, or have the Board vote on it .

Chairman Kyger suggested that the Board reconvene the public hearing to hear the remaining special use permit requests and allow the applicants for SUP16-113 an opportunity to discuss the options. He said SUP16-113 will be the first special use permit considered after the public hearing.

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At 7:12 p.m., Chairman Kyger reconvened the public hearing and Ms. Stultz reviewed the following special use permit applications:

SUP16-118 Lindale Mennonite Church, 6255 Jesse Bennett Way, Linville 22834 for childcare expansion with modification to the supplemental standard that states in the A-2 zoning district, the child care must be located in a residence. The property upon which this request is made is located on the northwest side of Shaver Mill Road (Route 780) and Jesse Bennett Way (Route 859), Election District #2, zoned A-2. Tax Map #79-(A)-84

Ms. Stultz noted that she visited the site with the Building Official and Development Review Manager to make sure the facility is handicap accessible and the doors are easy to open in case of a fire. All building official requirements have been met.

Supervisor Eberly disclosed that he is a member of Lindale Mennonite Church and he removed himself from the discussion because he supports their program.

In response to questions from Supervisors Breeden and Cuevas, Ms. Stultz indicated churches are regulated by the state and the same regulations that cover all daycare facilities apply. Supervisor Breeden noted those regulations are strict.

Theresa Horst, Executive Director of the Lindale Mennonite Church childcare program, said the church has wanted to expand their current program to provide full-day childcare for 3 and 4 year-olds for three years. They are excited to start as soon as possible.

No one spoke in opposition to the request.

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SUP16-120 William John Hall for Fun & Dreams LC, 3060 North Valley Pike, Rockingham 22802 for outdoor recreational activities (recreation and entertainment outside a building) on property located at the dead-end of Cornerstone Lane (private) approximately 1200' east of North Valley Pike (Route 11), Election District #2, zoned B-1. Tax Map #95-(A)-75A. Property address: 297 Cornerstone Lane.

Ms. Stultz noted that the bike trails are intended for bicycles, not motorcycles.

Jon Garber with Lineage Architects said his business is under contract to provide site-planning services. The proposed site was previously a campground with outdoor recreation and had no difficulties. By right, the applicant is allowed to construct the two indoor soccer fields for public use. He noted there are no other indoor soccer fields in the central Shenandoah Valley, and he has heard from interested parties as far away as Barcelona, Spain. The business plans to create five full-time jobs. The applicant wants to construct a third soccer field for outdoor use. The request includes running and bike trails, as well as rope courses, but Mr. Garber does not anticipate creating those now. He stated there are no plans to ever install non-human powered bike trails or rent such bikes. He also noted the facility is served by a well-maintained primary highway with access. The high-level traffic analysis indicates 86 trips per hour, which is a small percentage of the traffic on that section of Route 11.

In response to questions from Supervisor Eberly, Mr. Garber said the facility can be utilized by people of all ages. He noted the soccer fields are for youth soccer teams but can be rented by co-ed teams and others. The fields will be designed for soccer but can be used to play lacrosse, field hockey or any field sport.

Kim Sandum stated she believes this is the right project in the right place because there is significant road access and there will be no impact on neighbors. She said this request is worth the Board's support.

No one spoke in opposition to the request.

Chairman Kyger closed the public hearing at 7:15 p.m.

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The applicants for special-use permit SUP16-113, Kim Dudley Farley & Kehris Snead, returned to the room. Ms. Snead informed the Board that she lives in Dayton and commended the Keezletown citizens for protecting their community. She announced they would respectfully withdraw special use permit application SUP16-113, Kim Dudley Farley & Kehris Snead, 110 Millview Drive, Bridgewater 22812 for entertainment outside of building (obstacle

course), entertainment inside a building (sports building) event venue with waiver to supplemental standard that would not require owner or manager to live on the property, and country inn (bed & breakfast) with waiver that would not require owner or manger to live on the property and which would permit them to leave fruit and pre-packaged breakfast bars in room instead of preparing breakfast. on property located on the southeast side of Happy Valley Road (Route 758) approximately 1700' east of Mountain Valley Road (Route 620), Election District #3, zoned A-2, Tax Map #111-(A)-44. Property address: 3451 Happy Valley Road

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Supervisor Cuevas indicated the childcare facility is a useful service that is properly supervised.

On motion by Supervisor Cuevas, seconded by Supervisor Chandler and carried by a vote of 4 to 0 to 1, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - ABSTAIN; KYGER - AYE; the Board, with the following conditions, approved SUP16-118, Lindale Mennonite Church, 6255 Jesse Bennett Way, Linville 22834 for child care expansion with modification to the supplemental standard that states in the A-2 zoning district, the child care must be located in a residence. The property upon which this request is made is located on the northwest side of Shaver Mill Road (Route 780) and Jesse Bennett Way (Route 859), Election District #2, zoned A-2. Tax Map #79-(A)-84

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. If the basement portion of the church goes into use as day-care within the required two years, the future addition shown on the plan shall not be held to a definite date for construction.
5. Applicant shall meet Health Department requirements for any required expansions of sewage disposal system.
6. All County Fire Prevention Codes shall be met.

7. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.
8. There shall be no off-premise signs permitted unless all County and State regulations are met.
9. Parking shall comply with the Rockingham County Code.
10. The lower portion of the church shall not be used until an amended certificate of occupancy is issued by the County. Additionally, when constructed, the new addition shall not be used until a certificate of occupancy is issued by the County.

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Supervisor Eberly said Mr. Hall could not have picked a better location for Fun & Dreams LC.

Supervisor Eberly made a motion, seconded by Supervisor Chandler, to approve SUP16-120, William John Hall for Fun & Dreams LC, 3060 North Valley Pike, Rockingham 22802 for outdoor recreational activities (recreation and entertainment outside a building) on property located at the dead-end of Cornerstone Lane (private) approximately 1200' east of North Valley Pike (Route 11), Election District #2, zoned B-1. Tax Map #95-(A)-75A. Property address: 297 Cornerstone Lane

Ms. Stultz noted she will include in the special use permit, that the bike trail is a bicycle trail.

Carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board, with the following conditions, approved SUP16-120, William John Hall for Fun & Dreams LC, 3060 North Valley Pike, Rockingham 22802 for outdoor recreational activities (recreation and entertainment outside a building) on property located at the dead-end of Cornerstone Lane (private) approximately 1200' east of North Valley Pike (Route 11), Election District #2, zoned B-1. Tax Map #95-(A)-75A. Property address: 297 Cornerstone Lane

**CONDITIONS:**

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. 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.

3. Applicant shall obtain a food establishment permit from the Health Department if food is to be served.
4. As required by Public Works, if the existing meters and laterals are not adequate for the proposed use, the applicant shall be required to install a new meter and lateral. Applicant would also be required to pay connection fees based on the difference in fees between the existing connection and whatever size is determined to be needed for the use.
5. All requirements of the Rockingham County Fire Prevention Code shall be met.
6. Buildings shown on the attached site plan shall obtain building permits.
7. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.
8. There shall be no off-premise signs permitted unless all County and State regulations are met.
9. Parking shall comply with the Rockingham County Code.

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#### **PUBLIC HEARING – REZONING REQUEST.**

At 7:27 p.m., Chairman Kyger opened the public hearing regarding the following rezoning request, which Mr. May reviewed:

REZ16-095 Pleasant Run, LC, 2340 South Main Street, Harrisonburg, VA 22801, to amend the proffered conditions on a 71-acre portion of TM# 124-(A)-L98, located west of Pleasant Valley Road (Route 679) approximately 500 feet north of Spaders Church Road (Route 689), and retain the zoning of Medium Density Residential District with Conditions (R-2C). The amendment increases the permitted density of the development. The Comprehensive Plan identifies this area as Agricultural Reserve. It is located in Election District 4

Mr. May explained that the applicant wanted to revise the proffered conditions on the 71-acre portion of property located on the west side of Pleasant Valley Road to increase the number of units in the development from 36 approved in 2009 to 166 (single family and duplex) units on smaller lots.

If turn lanes are deemed necessary on Pleasant Valley Road, Mr. May indicated these will be required for site plan approval.

Staff recommended tabling the request on April 28, 2016 pending the Urban Development Area study. After it was determined that the rezoning request should not remain pending while the study is conducted, staff recommended approval. The Planning Commission concurred and recommended approval on a 3-0-2 vote on May 3, 2016 indicating:

*The request was a better use of the site. The abstaining Commissioners were concerned with the condition of Pleasant Valley Road and the additional traffic generated by the increase in units.*

Chairman Kyger stated the original rezoning request for Pleasant Run, LC was submitted in 2007 (approved in 2009) so the property would have been built out by now if the market had dictated. The revised proffer will utilize less land for more people. The applicant cannot predict how fast the lots will sell; that will be determined by the marketing conditions.

Mr. May confirmed for Supervisor Cuevas that the breakdown of the additional 130 units was proposed to be 96 duplexes and 70 detached single-family units. All the homes will be built on one side of the road with a physical barrier between the original acreage and this parcel. Ms. Cooper noted the geographic barrier of the road lends itself to a different model of development on the south side.

Chairman Kyger believes the market has changed. He said there might be some requests to purchase large lots in the future but marketing trends lean more toward a development with smaller lots.

Mike Pugh, a Pleasant Run, LC partner, said the partnership consists of nine partners, all local valley people who are community-minded. When the LC originally asked for a rezoning on this property, there was a push for larger lots. The absorption rate for a large-lot subdivision netted seven to eight lots sold per year. The smaller lots were requested on the south side of Pleasant Valley Road because the group recognized the need for another product. He noted there are currently three lots for sale in the Turner Ashby (TA) High School district. There is no place to build a reasonably sized home in the TA district. Pleasant Valley Road is the divider for the Turner Ashby and Spotswood high school districts. During the last 10 years, Mr. Pugh has found that duplexes are popular for older people. There is currently one duplex in Bridgewater for sale. There are currently no single-family homes in the \$250,000 to \$300,000 price range available in the TA district.

Mr. Pugh expressed appreciation for staff's work and the Board's patience.

Chairman Kyger stated the initial inquiry on this parcel of land caused the Board to perform their first study of that area. He noted that the information Mr. Pugh provided at that time has been confirmed.

Mr. Pugh noted the highest number of lots sold in a development last year was 12 in Preston Lake. He does not foresee Pleasant Run, LC selling more than 25 lots a year.

Kim Sandum indicated her concern is a broader principle than the Pleasant Run, LC project. The map of the property shows farmland adjoins this property, which is outside the Urban Development Area (UDA). The County is trying to transition from UDAs to farmland. She is not sure whether this is the best answer to transition to farmland or a less dense project, but said this gives staff and the Board something to think about, as the urban development study and comprehensive plan are prepared.

Kim Miller expressed concern with traffic on Pleasant Valley Road since it is highly traveled between 2 and 4 p.m. with traffic from Massanutten Technical Center and nearby industries. Her property directly borders the property in the rezoning request. While she is not opposed to the rezoning, she expressed concern about duplexes and the high density in that area when there is already a major traffic concern.

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At 7:47 p.m., Chairman Kyger closed the public hearing.

Chairman Kyger stated the Pleasant Run, LC rezoning request has been reviewed and scrutinized for two years. Pleasant Run, LC has attempted to follow County staff's advice and direction through the process. During the two-year review, there have been market changes that will continue. He said no one can predict what will happen, but the Board has to make a decision if this is the use desired on that parcel and let the market determine what is wanted. With the due diligence performed, Chairman Kyger said he is comfortable recommending approval of the rezoning request as presented.

On behalf of Chairman Kyger, Supervisor Cuevas made a motion, seconded by Supervisor Chandler to approve REZ16-095 Pleasant Run, LC, 2340 South Main Street, Harrisonburg, VA 22801, to amend the proffered conditions on a 71-acre portion of TM# 124-(A)- L98, located west of Pleasant Valley Road (Route 679) approximately 500 feet north of Spaders Church Road (Route 689), and retain the zoning of Medium Density Residential District with Conditions (R-2C). The amendment increases the permitted density of the development. The Comprehensive Plan identifies this area as Agricultural Reserve. It is located in Election District 4.

Supervisor Cuevas noted that under a comprehensive land use plan, staff anticipates what will occur in the next five to ten years. Sometimes things change and in order to move property a different decision needs to be made. Since the market trends and supply and demand stalled and the property is not selling, he said this may be the most reasonable approach to move the use of the land. Since smaller lots are on one side of the road and large lots still exist for those who want them, little damage is done by trying to allow the movement of the property.

Supervisor Chandler indicated that moving forward, this approach may be something to consider as an option to create a buffer between the UDA and agricultural land, as Ms. Sandum suggested.

Supervisor Cuevas confirmed with Ms. Cooper that dwellings will not be built to the property line and there is a green common area requirement for additional vacant space.

Chairman Kyger noted it has been a long time since there has been such a large amount of time, energy and study expended regarding a small acreage of land. He noted that a decision needs to be made to move forward at some point.

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 conditions and proffers, the Board approved REZ16-095 Pleasant Run, LC, 2340 South Main Street, Harrisonburg, VA 22801, to amend the proffered conditions on a 71-acre portion of TM# 124-(A)- L98, located west of Pleasant Valley Road (Route 679) approximately 500 feet north of Spaders Church Road (Route 689), and retain the zoning of Medium Density Residential District with Conditions (R-2C). The amendment increases the permitted density of the development. The Comprehensive Plan identifies this area as Agricultural Reserve. It is located in Election District 4.

Conditions and Proffers:

1. Land use is restricted to single family attached and single-family detached units within the current R-2 zoning.
2. A minimum of 25% common area shall be included in the development scheme.
3. All lots shall be served by public water and sewer; individual sewage disposal systems and/or wells are prohibited. Developer shall install all water and sewer lines necessary to serve the development.
4. The development's roadway network shall be within substantial conformance to the attached "R-2 Plan of Development" prepared by Valley Engineering and dated March 25th 2016, with the understanding that minor deviations may be necessary during the engineering process.
5. The total number of residential units shall be 166. The developer reserves the option to modify the attached site layout of product mix not to exceed 166 units total, (detached and attached).
6. An impact fee of \$730 per lot shall be paid to Rockingham County at the sale of each lot to a homeowner.
7. A homeowners association shall be established to provide for maintenance of the common areas and restrictive covenants shall be placed on record to ensure the compatibility of all proposed improvements.

The conditions set forth in this proffer statement supersede all conditions set forth in previous proffer statements submitted as part of this application.

(Note: A copy of the “R-2 Plan of Development” and site layout are attached to and made a part of these minutes.)

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**RECESS.**

At 7:52 p.m., Chairman Kyger declared a short recess.

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**PUBLIC HEARING – ORDINANCE AMENDMENTS.**

At 8:00 p.m., Chairman Kyger opened the public hearing and Ms. Stultz reviewed the following proposed ordinance amendments to Rockingham County Code Section 17:

- OA16-080      Amendment to the Rockingham County Code, Chapter 17 (zoning), Article 2 Definition of Terms, Section 17-201 Definitions generally to remove the definition of microbrewery and to add the definition of craft brewery. May include on-premise taproom or associated on-site restaurant.
  
- OA16-081      Amendment to the Rockingham County Code, Chapter 17 (Zoning), Table 17-606 Land Use and Zoning Table, under Assembly Uses, remove microbrewery and replace with craft brewery as a permitted use (P) in the R-4, R-5, MXU, B-1, B-2, PCD, and PMR zoning districts and as a special use permit with supplemental standards (SU\*) in the A-1 and A-2 zoning districts.
  
- OA16-104      Amendment to the Rockingham County Code, Chapter 17 (zoning), Article VI Land Uses, Section 17-607 Supplemental standards for certain land uses to add supplemental standards for craft breweries to allow production of no more than 250,000 barrels per year in the business districts and in the planned districts and no more than 15,000 barrels per year in the agricultural district. This amendment also removes the supplemental standards for event centers and restaurants in the A-1 and A-2 zoning districts if associated with a craft brewery.

Ms. Stultz noted these three proposed ordinance amendments refer to a craft brewery.

Supervisor Eberly asked if the amendments were required to comply with state law. Ms. Stultz noted the County does not have to allow craft breweries but there is a great deal of interest in them. She said a craft brewery falls between a farm brewery required by state law and a full brewery in an industrial district. A craft brewery is not allowed in an industrial district.

Mr. Miller indicated the term microbrewery is being eliminated from the County Code. Administrator Paxton noted microbreweries previously approved in the County are now considered craft breweries. The terminology is being changed to conform to current practice and state law. Placing stipulations on the breweries makes them reasonable, he said.

Mr. Miller noted a craft brewery is not to be confused with a farm brewery or limited brewery. While a farm winery can be established by right in A-1 or A-2 districts, a special use permit is required for a craft brewery in A-1 and A-2 districts.

Supervisor Cuevas confirmed there are still ways to address environmental impact, safety and traffic. Ms. Stultz noted that special use permit requests are required for craft breweries in A1 and A2 districts. In other zoning districts, craft breweries are required to be in a planned or business district. Ms. Stultz explained that craft breweries are allowed in commercial/planned districts by right unless the Board chooses to amend it to say by special use permit.

Administrator Paxton indicated that in a planned district a craft brewery will have to submit a master plan, which requires Board approval. Approval is not required in the B-1 district because that is a business district.

During the site plan process, if staff thinks an agency other than those that normally review requests should provide input, the County has the right to request input from other agencies, Ms. Stultz said.

Mr. Miller noted if an applicant desires a craft brewery in a planned district, a rezoning is required to amend the master plan since no parcel currently zoned in a planned district has a craft brewery designated. Ms. Stultz concurred noting there are only R-4, R-5 and PCD planned districts at this time, and that she and Mr. May discussed that since a craft brewery is not shown on the master plan for those existing planned districts, the applicant would have to request a master plan amendment to request that use.

In response to a question from Supervisor Breeden, Ms. Stultz indicated craft breweries can be placed in a B-1 or B-2 district by right. However, she believes a larger amount of land would be needed for a craft brewery than what currently exists in the B-1 and B-2 districts so a rezoning request would still be necessary.

Supervisor Breeden asked if a special use permit granted in an A-1 or A-2 district would automatically allow an event center to be part of the special use permit. Ms. Stultz

noted that for a restaurant or event center to be part of a craft brewery, the applicant needs to apply for a craft brewery with restaurant and event center; it is not by right.

In response to a question from Chairman Kyger, Ms. Stultz said part of the reason a special use permit is required for a craft brewery in an A-1 or A-2 district is because those districts are in rural locations rather than a business district, planned district or planned community. It is not anticipated that craft breweries located in A-1 or A-2 districts will exceed 15,000 barrels of beer per year.

The Planning Commission recommended approval of the three proposed ordinance amendments regarding craft breweries by a 5 to 0 vote on May 3, 2016.

No one spoke in favor or opposition to the three proposed ordinance amendments.

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OA16-109      Amendment to the Rockingham County Code, Chapter 17 (zoning), Section 17-701.03 Private streets to state that private streets shall not exceed maximum grades for local rural roads as defined in the AASHTO manual with Fire & Rescue inspecting any private streets with grades greater than ten (10) percent.

The Planning Commission recommended approval of the ordinance amendment by a 5 to 0 vote on May 3, 2016.

No one spoke in favor or opposition to the proposed ordinance amendment.

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Chairman Kyger closed the public hearing at 8:13 p.m.

Supervisor Cuevas made a motion, seconded by Supervisor Eberly, to approve the three craft brewery ordinance amendments:

Supervisor Cuevas said he understands there is enough safety room for sensible reviews of any negative impact craft breweries may have in comparison with going to restaurants because of dealing with alcohol. He thinks the County will maintain control over craft breweries.

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 approved the following ordinance amendments:

**ORDINANCE  
AMENDING  
SECTION 17-201  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That Section 17-201, Definitions generally, be amended by adding the following definition (in alphabetical order):

*Craft Brewery.* An independent brewery of beer or ale, a majority of which shall derive its flavor from traditional or innovative brewing ingredients and their fermentation. The product may be available for wholesale distribution, and for retail sales made directly to the consumer through an on-premise tap room or an associated on-site restaurant. This use may include an event center. All applicable Virginia Alcohol Beverage Control laws and regulations shall be met.

That Section 17-201. Definitions generally, be amended by repealing the definition of *Microbrewery*.

All other definitions remain the same.

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**ORDINANCE AMENDING  
TABLE 17-606  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That Table 17-606 Land Use and Zoning Table be and hereby is amended as follows (in alphabetical order):

**ADD:**

*Craft brewery* (under *Assembly Uses*) as a permitted use with supplemental standards (P\*) in the R-4, R-5, MXU, B-1, B-2, PCD, and PMR zoning districts and as a special use with supplemental standards (SU\*) in the A-1 and A-2 zoning districts.

**REMOVE:**

*Microbrewery* (listed under *Assembly Uses*) and the districts in which it is allowed from the table.

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**ORDINANCE  
AMENDING  
SECTION 17-607  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That a portion of Article 6 Land Uses, Section 17-607 Supplemental standards for certain land uses generally be and hereby is amended as follows:

**Article 6. Land Uses**

**Section 17-607. Supplemental standards for certain land uses**

**ADD:**

*Craft Brewery.*

- A. In the R-4, R-5, MXU, B-1, B-2, PCD, and PMR zoning districts, annual production shall be no more than 250,000 barrels of beer or ale.
- B. In the A-1 and A-2 zoning districts, the annual production shall be no more than 15,000 barrels of beer or ale.

Repeal and Re-enact the Supplemental Standards for *Event center* and *Restaurant* as follows:

*Event center.*

In the A-1 and A-2 districts, unless associated with a craft brewery, and in the RV districts:

- A. The event center shall be located within a residence or in a building on the same parcel as a residence.
- B. The owner or manager shall live on the property and shall provide full-time management of the establishment.
- C. Hours of operation shall be limited to 6 a.m. to 11:00 p.m.

*Restaurant.*

In the A-2 zoning district unless associated with a craft brewery:

- A. The use shall be located within a residence.
- B. The owner or manager shall live on the property and shall provide full-time management of the establishment.

- C. Customer service areas, including all seating and waiting areas as well as restroom facilities, shall comprise no more than thirty percent (30%) of the living space of the residence.
- D. Hours of operation shall be limited to 6:00 a.m. to 11:00 p.m.

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On motion by Supervisor Chandler, seconded by Supervisor Eberly 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 approved the following ordinance amendment:

**ORDINANCE REPEALING  
AND  
RE-ENACTING  
SUB-SECTION 17-701.03 (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 17-701.03 (b) Private Streets be and hereby is repealed and re-enacted as follows:

**Section 17-701.03. Private Streets.**

- (b) Private streets shall not exceed the maximum grades for local rural roads as defined in the AASHTO manual. Fire & Rescue shall inspect any private streets with grades greater than ten (10) percent grade.

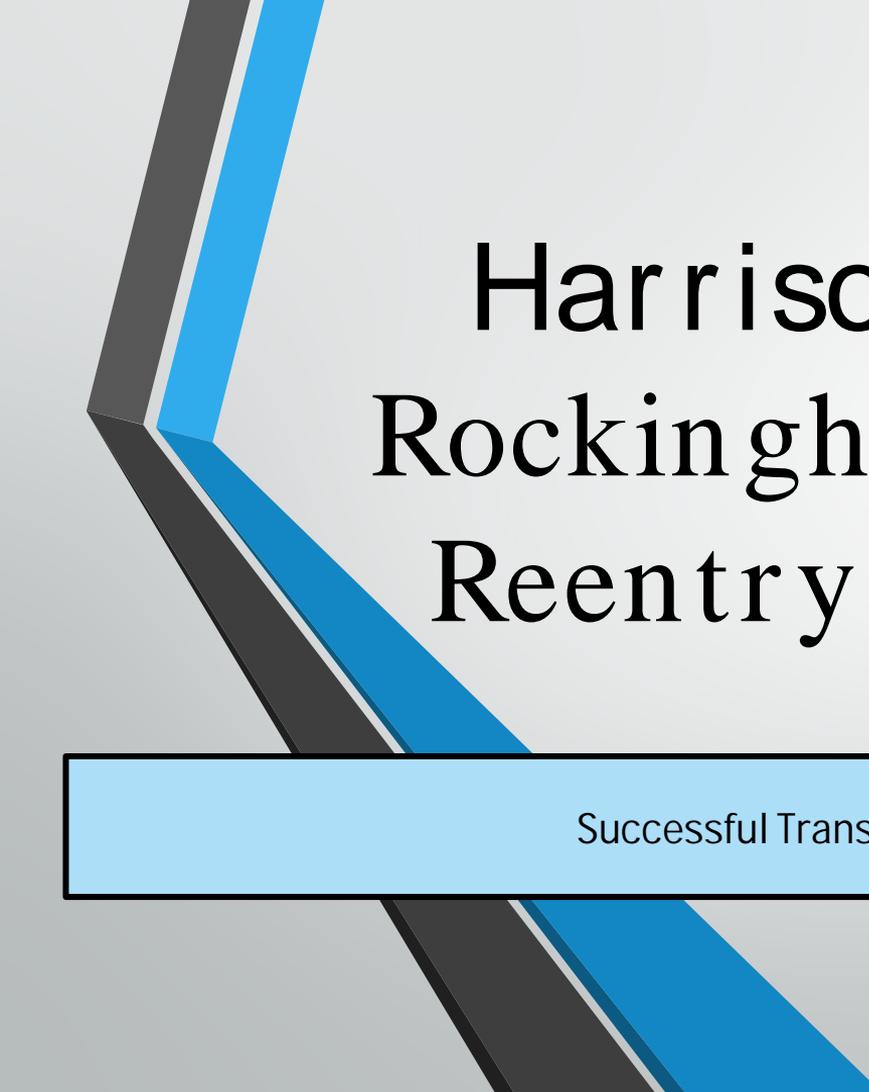
All other sub-sections of Section 17-701.03 remain as before.

oooooOooooo

**ADJOURNMENT.**

Chairman Kyger declared the meeting adjourned at 8:15 p.m.

\_\_\_\_\_  
Chairman



# Harrisonburg- Rockingham-Page Reentry Council

Successful Transitions for Returning Citizens

# Background

April 2016: Virginia Statistics

30,224 offenders incarcerated in 43 state institutions, field units and work centers

59,940 on probation and parole or detention and diversion centers

2,000 arrestees are booked and classified into Rockingham Regional Jail annually

Close to 95% of offenders incarcerated will be released

28% of offenders are re-arrested, re-convicted or re-incarcerated within three years of release

Real and urgent needs for vital transitional services, including housing, transportation, employment, and mental health or medical care

# The VARI Plan (Virginia Adult Reentry Initiative)



Efficient service delivery to local returning citizens

# HRP Reentry Council Member Partners

- District 39 Probation and Parole
- Department of Social Services
- Harrisonburg-Rockingham Community Services Board
- Strength in Peers
- Middle River Regional Jail
- Virginia Department of Corrections (Augusta Correctional Center and Coffeewood Correctional Center)
- Rockingham County Sheriff's Department
- Goodwill Industries: Career Connection
- Gemeinschaft Home
- Harrisonburg Court Services Unit

# Committees and Responsibilities

Pre-release

Post-release

Family support

Legislative

Public relations

# Council Initiatives

- Pre-release programming at Rockingham Regional Jail
- Family listening sessions
- Public outreach
- Monthly committee meetings

# Recidivism Snapshot

Months since Release	Re-Arrest				
	6	12	18	24	36
FY2008	15.5	29.2	38.9	43.3	54.9
FY2009	14.4	28.3	37.6	41.7	54.2
FY2010	14.0	27.9	38.1	42.4	55.2
FY2011	13.3	27.0	37.7	41.8	54.7
FY2012	13.2	27.3	38.2	42.2	
FY2013	14.1	28.4	38.3		
FY2014	14.4				

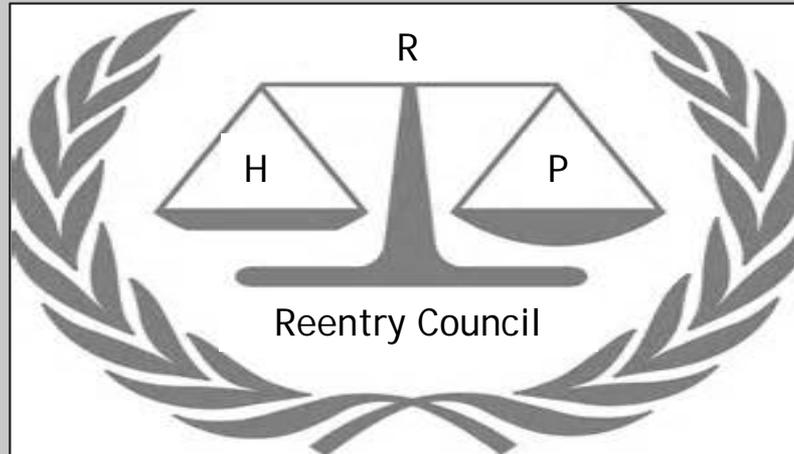
Months since Release	Re-Conviction				
	6	12	18	24	36
FY2008	9.9	19.3	26.9	32.8	42.3
FY2009	9.0	18.8	26.7	33.5	43.2
FY2010	9.5	20.4	29.1	35.9	45.1
FY2011	9.9	20.8	29.4	35.8	
FY2012	9.5	20.5	28.6		
FY2013	8.8	16.6			

Months since Release	Re-Incarceration				
	6	12	18	24	36
FY2008	1.3	5.5	11.0	15.8	23.4
FY2009	1.2	4.5	9.4	14.5	22.8
FY2010	1.2	4.8	10.1	14.9	22.8
FY2011	1.3	4.7	9.7	14.5	23.0
FY2012	1.3	4.4	9.7		
FY2013	1.1	4.3			

# To Contact

HRP Reentry Council Website - <http://hrpreentrycouncil.weebly.com/>

Darrell Simpson - [dsimpson@hrcsb.org](mailto:dsimpson@hrcsb.org) 540-434-1941 ext. 7010



# References

- Bureau of Justice Statistics <http://www.bjs.gov/>
- Virginia Department of Corrections  
<http://vadoc.virginia.gov/about/facts/research/recidivism/RecidivismAtAGlance-August2014.pdf>
- <http://vadoc.virginia.gov/documents/reentryInitiativeExecSummary.pdf>

**CONCURRENCE RESOLUTION FOR THE BENEFIT OF  
CENTRAL SHENANDOAH CRIMINAL JUSTICE TRAINING ACADEMY**

**WHEREAS**, the Economic Development Authority of Rockingham County, Virginia (formerly known as the Industrial Development Authority of Rockingham County, Virginia, and referenced herein as the “Authority”), on June 22, 2016 and prior hereto, adopted a resolution (the “Authority Resolution”) authorizing the issuance and sale of its Revenue Bonds, Series 2016 A/B (“Bank-Qualified”), in an aggregate principal amount not to exceed \$4,230,000 (the “Series 2016 A/B Bonds”), for the benefit of the Central Shenandoah Criminal Justice Training Academy (the “Academy”), as further described below; and

**WHEREAS**, the Academy is a public body politic and corporate created under the provisions of Chapter 17, Article V, Title 15.2 of the Code of Virginia of 1950, as amended, by the respective governing bodies of the several localities in the 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup> Planning Districts, including Rockingham County, Virginia (the “County”), in order to conduct criminal justice education and training for criminal justice personnel, including law enforcement officers and special appointed police officers; and

**WHEREAS**, as further described in the Authority Resolution, a copy of which has been provided to the Board of Supervisors of the County (the “Board”), the proceeds of the Series 2016 A/B Bonds shall be used to (a) refinance, restructure, and current refund all or any portion of the \$2,567,000 Economic Development Authority of the Town of Mount Jackson, Virginia Revenue Bond (Central Shenandoah Criminal Justice Training Academy Project), Series 2014A (“Bank-Qualified”) issued on behalf of the Academy on December 9, 2014, (b) finance the costs of acquisition and equipping of additional training facilities located on Early Road in Mount Crawford, Virginia, including a shooting range, offices, and classrooms, in order to conduct criminal justice education and training for criminal justice personnel, (c) finance the costs of design, acquisition, construction, and equipping of certain improvements at the aforementioned training facilities, including construction of a driving training course for criminal justice personnel, and (d) pay the costs of issuance therefor (collectively, the “Project”); and

**WHEREAS**, the Board now desires to evidence its concurrence with the provisions of the Authority Resolution, as may be necessary or convenient, with respect to the Authority’s issuance of the Series 2016 A/B Bonds and the transactions contemplated thereby; and

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

1. To the extent necessary or convenient, the Board hereby approves the issuance of the Series 2016 A/B Bonds by the Authority for the benefit of the Academy and for its purposes, as described in the Authority Resolution, to cause the financing of the Project in order for the Academy to realize debt service savings, among other benefits.

2. The County and all its subordinate issuing entities or authorities (including the Authority) are not reasonably expecting to issue in calendar year 2016 more than \$10,000,000 in tax-exempt obligations, including the Series 2016 A/B Bonds, and accordingly, the Board hereby concurs with the Authority's designation of all or any portion of the Series 2016 A/B Bonds as "qualified tax-exempt obligations" under Section 265(b)(3) of the Internal Revenue Code for calendar year 2016.

3. It is to be understood that this concurrence approval of the Authority's issuance of the Series 2016 A/B Bonds does not constitute an endorsement thereof by the County or the Board, of the creditworthiness of the Academy. As required by Section 15.2-4909 of the Code of Virginia, 1950, as amended, each of the Series 2016 A/B Bonds shall provide that the County will have no obligation whatsoever to pay either of the Series 2016 A/B Bonds or the interest thereon or any other costs incident thereto.

4. All acts and doings of the officers of the County and the Board that are in conformity with the purposes and intent of this resolution shall be, and the same hereby are, in all respects approved and confirmed.

5. This resolution shall take effect immediately.

Date: June 22, 2016

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Chairman, Board of Supervisors  
Rockingham County, Virginia

**CERTIFICATE**

The roll-call vote by the Board of Supervisors of Rockingham County, Virginia, taken at the regular meeting thereof held on June 22, 2016, on the foregoing Concurrence Resolution, is as follows:

	AYE	NAY	ABSTAIN	ABSENT
Pablo Cuevas (District 1)				
Frederick E. Eberly (District 2)				
Rick Chandler (District 3)				
William B. Kyger, Jr. (District 4)				
Michael A. Breeden (District 5)				

Dated: June 22, 2016

[Seal]

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Clerk, Board of Supervisors  
Rockingham County, Virginia

## **RESOLUTION**

### **OF THE**

#### **ECONOMIC DEVELOPMENT AUTHORITY OF ROCKINGHAM COUNTY, VIRGINIA APPROVING THE ISSUANCE OF REVENUE BONDS FOR THE BENEFIT OF CENTRAL SHENANDOAH CRIMINAL JUSTICE TRAINING ACADEMY**

**WHEREAS**, the Economic Development Authority of Rockingham County, Virginia (formerly known as the Industrial Development Authority of Rockingham County, Virginia, and for convenience hereinafter, the “Authority”), is duly organized under the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2 (the “Act”), Code of Virginia of 1950, as amended (the “Virginia Code”); and

**WHEREAS**, the Central Shenandoah Criminal Justice Training Academy (the “Academy”) is a public body politic and corporate created under the provisions of Chapter 17, Article V, Title 15.2 of the Code of Virginia of 1950, as amended (the “Code”), by the respective governing bodies of the several localities or other public bodies located in the 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup> Planning Districts, including Rockingham County, Virginia (the “County”), each being named on the schedule attached to the Charter of the Academy, in order, among other things, to conduct criminal justice education and training for criminal justice personnel, including law enforcement officers and special police officers appointed under Virginia law; and

**WHEREAS**, on December 19, 2014, the Economic Development Authority of the Town of Mount Jackson, Virginia (the “Mount Jackson Authority”), acting at the request of the Academy, issued the Economic Development Authority of the Town of Mount Jackson, Virginia Revenue Bond (Central Shenandoah Criminal Justice Training Academy Project), Series 2014A (“Bank-Qualified”) to Branch Banking & Trust Co., in the original principal amount of \$2,567,000 (the “2014A Bond”), and loaned the proceeds thereof to the Academy in order for the Academy to restructure and refinance, on a tax-exempt basis, the outstanding amount of the Academy’s obligations under that certain taxable promissory note that had been issued by the Academy to the United States of America, acting through Rural Housing Service, an Agency of the United States of America on March 6, 2001, in the original principal amount of \$3,400,000 in order for the Academy to obtain a portion of the long-term financing to pay costs to acquire, construct and equip new facilities located in Weyers Cave, Augusta County, Virginia, for the Academy to carry on its essential governmental purposes under Virginia law. The Academy secured the payment of such 2014A Bond by issuing its correlating promissory note to the Mount Jackson Authority, also dated December 19, 2014, in the original principal amount of \$2,567,000, among other things. Further, the Mount Jackson Authority assigned to Branch Banking & Trust Co., as purchaser of the 2014A Bond, the Mount Jackson Authority’s rights to receive debt service payments from the Academy; and

**WHEREAS**, the Academy’s financial advisor, Davenport & Company, LLC (“Davenport”), has advised the Academy that the credit markets are currently favorable for the Project (defined below) and, working together with Academy staff, competitively solicited proposals from various financial institutions; and

**WHEREAS**, to such end, the Academy has requested the assistance of the Authority to issue its tax-exempt “bank-qualified” revenue bonds in order to loan such proceeds thereof to the Academy in order for the Academy to (a) refinance, restructure, and current refund all or any portion of the outstanding amount of the 2014A Bond, (b) finance the costs of acquisition and equipping of additional training facilities located on Early Road in Mount Crawford, Virginia, including a shooting range, offices, and classrooms, in order to conduct criminal justice education and training for criminal justice personnel, (c) finance the costs of design, acquisition, construction, and equipping of certain improvements at the aforementioned training facilities, including construction of a driving training course for criminal justice personnel, and (d) pay the costs of issuance therefor (collectively, the “Project”); and

**WHEREAS**, it is reasonably anticipated that, immediately following this meeting of the Authority, the Board of Supervisors of the County will adopt a concurrence resolution with respect to the Authority’s issuance of up to \$4,230,000 revenue bonds (as further described below, the “Series 2016 A/B Bonds”), including the “bank-qualified” designation of the Series 2016 A/B Bonds by the Authority, within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended, including Treasury Regulations thereunder (the “Tax Code”), all as contemplated by the Project; and

**WHEREAS**, Davenport has advised the Academy that Branch Banking & Trust Co. (the “Bondholder” or “Bank”) has offered to purchase the Series 2016 A/B Bonds from the Authority, and the Authority will lend the proceeds thereof to the Academy, pursuant to the terms and conditions set forth in the Bond Purchase and Loan Agreement, to be dated as of July 15, 2016 (or such other date as may be convenient, the “Agreement”) between the Authority, the Academy, and the Bondholder, for the purposes of the Project; and

**WHEREAS**, the Series 2016 A/B Bonds will be secured primarily by the correlating promissory notes of the Academy, respectively, dated the date of delivery thereof to the Authority or its assigns (the “Notes”), in correlating principal amounts to the principal amounts of the Series 2016 A/B Bonds and issued under the Agreement, as further described below, and the Authority will assign such Notes to the Bondholder; and

**WHEREAS**, the foregoing arrangements will be reflected in the following documents, substantially final forms of which have been presented at this meeting and filed with the Authority’s records:

(a) The Notes, including the Assignments thereof, respectively, by the Authority to the Bondholder; and

(b) The Agreement, to which specimen forms of the Series 2016 A/B Bonds and specimen forms of the Notes are attached.

**WHEREAS**, the foregoing documents, together with such other instruments, documents, and certificates, including but not limited to, a Certificate of Nonarbitrage and Tax Compliance Agreement (or other tax certificate) to be dated the date of issuance of the Series 2016 A/B Bonds and executed by the Authority and the Academy, an Internal Revenue Service Report

Form 8038-G in connection with the issuance of the Series 2016 A/B Bonds, various documents in connection with ongoing federal tax compliance by the Authority and the Academy with respect to the use of proceeds of the Series 2016 A/B Bonds, among other requirements, and any other additional certificates and closing papers in connection with the issuance of the Series 2016 A/B Bonds, as may be advised by counsel, are collectively referenced herein as the “Basic Documents;” and

**WHEREAS**, the Authority now desires to authorize the issuance of the Series 2016 A/B Bonds and to provide for the sale and delivery thereof to the Bondholder; and

**WHEREAS**, no member of the Authority has any personal or business interest in the Academy, the Series 2016 A/B Bonds, the Notes, or in any of the transactions contemplated therein, or has otherwise engaged in conduct prohibited under or in violation of the Virginia Conflict of Interests Act, Chapter 31, Title 2.2 of the Virginia Code 1950, as amended, in connection with this Authority Resolution or any other official action of the Authority in connection therewith or contemplated thereunder.

After careful consideration and in furtherance of the public purposes for which the Authority was created, **NOW, THEREFORE, BE IT RESOLVED, THAT:**

**1. Approval of Project and Actions Contemplated thereby.** It is hereby found and determined that the Authority’s issuance of the Series 2016 A/B Bonds, as described herein, will protect and promote the health and welfare of the Commonwealth of Virginia, the County and its citizens, and the other localities and agency members of the Academy. Accordingly, the Authority hereby agrees to assist the Academy in connection with the transactions contemplated by the Project by issuance of the Series 2016 A/B Bonds.

**2. Authorization of Issuance of Series 2016 A/B Bonds.** The Authority’s issuance, sale and delivery to the Bank of the Series 2016 A/B Bonds by the Authority, in the maximum aggregate principal amount of \$4,230,000, are hereby authorized and approved. The Series 2016 A/B Bonds shall be designated as the up to “**Aggregate \$4,230,000 Economic Development Authority of Rockingham County, Virginia Revenue Bonds, Series 2016 A/B (“Bank-Qualified”)**,” with the 2016A Bond being known as the up to [approximately] \$1,720,000 Economic Development Authority of Rockingham County, Virginia, Revenue Bond (Central Shenandoah Criminal Justice Training Academy Facilities Project), Series 2016A (“Bank-Qualified”) and being registered as R-1, and the 2016B Bond being known as the up to [approximately] \$2,510,000 Economic Development Authority of Rockingham County, Virginia, Revenue Bond (Central Shenandoah Criminal Justice Training Academy Refunding Project), Series 2016B (“Bank-Qualified”) and being registered as R-2. Further, the Series 2016 Series A/B Bonds shall be dated the date of issuance thereof to the Bond Purchaser and shall be in substantially the forms attached as exhibits to the Agreement and presented at this meeting.

Each of the Series 2016 A/B Bonds shall provide that it does constitute a debt or pledge of the faith and credit or taxing power of the Commonwealth of Virginia or any of its political subdivisions, including the Authority and the County. Neither the Commonwealth of Virginia nor any of its political subdivisions, including the Authority and the County, will be

obligated to pay the principal of, premium, if any, or interest on any portion of the Series 2016 A/B Bonds, or any other costs incident to the Series 2016 A/B Bonds, except from the revenues and monies pledged by the Academy for such purposes, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any of its political subdivisions, including the Authority and the County, shall be pledged to the payment of principal of, premium, if any, or interest on the Series 2016 A/B Bonds or other costs incident thereto.

**3. Basic Documents in Furtherance of the Act.** The Authority hereby determines that the issuance of the Series 2016 A/B Bonds are in accordance with the terms of the Basic Documents and all actions of the Authority contemplated by the Basic Documents and otherwise with respect to the Project will be in furtherance of the purposes for which the Authority was organized under the Act.

**4. Approval of Bond Counsel and Payment of Expenses by Academy.** At the request of the Academy, the Authority approves Daniel R. Lauro, of the law firm of BotkinRose PLC, as bond counsel in connection with the issuance of the Series 2016 A/B Bonds. All costs and expenses in connection with the Project and the Authority's issuance of the Series 2016 A/B Bonds, including but not limited to the Authority's \$4,000 application fee for financing assistance and all Bank fees and attorneys' fees, shall be paid by the Academy, or, to the extent permitted by applicable law, from the proceeds of the Series 2016 A/B Bonds, and the Authority shall have no responsibility therefore.

**5. Approval of Basic Documents.** The Basic Documents are approved in substantially the forms submitted at this meeting, with such changes, insertions or omissions which do not materially adversely affect the interests of the Authority, as may be approved by the Chairman or the Vice Chairman of the Authority, either of whom may act, and whose approval shall be evidenced conclusively by the execution and delivery of the Series 2016 A/B Bonds. The execution, delivery and performance by the Authority of the Basic Documents to which it is a party are hereby authorized. Furthermore, the execution of the Series 2016 A/B Bonds and their delivery against payment therefor in the amount specified in the Agreement, and the amount of such payment to be disbursed in accordance with the terms thereof, are hereby authorized.

**6. Execution of Series 2016 A/B Bonds and Basic Documents.** The Chairman and the Vice Chairman of the Authority, either of whom may act, are each authorized to execute on behalf of the Authority the Series 2016 A/B Bonds and the Basic Documents and, as required, the Secretary of the Authority is authorized to affix the seal of the Authority thereto. The Chairman and the Vice Chairman of the Authority, either of whom may act, are each authorized and directed to execute the assignment or endorsement form on the Notes, thereby assigning them to the Bond Purchaser, and to direct the Academy to make all payments thereunder to the Bond Purchaser to provide for payment of the Series 2016 Series A/B Bonds.

Each officer of the Authority is authorized to execute and deliver on behalf of the Authority all such additional instruments, documents of certificates, and to do and perform such things and acts, as he or she shall deem necessary, appropriate or convenient to carry out the transactions authorized by this Authority Resolution or contemplated by the Basic Documents or

such instruments, documents or certificates, or otherwise in furtherance of the Project, and all of the foregoing, previously done or performed by such officers of the Authority, are in all respects approved, ratified and confirmed.

7. **“Bank-Qualified” Designation.** The Authority hereby designates the Series 2016 A/B Bonds as qualified tax-exempt, “bank qualified” obligations pursuant to the terms and provisions of Section 265(b)(3) of the Tax Code eligible for the exception from the disallowance of the deduction of interest by financial institutions allocable to the cost of carrying tax-exempt obligations in accordance therewith. In such regard, it is to be understood that the principal amount of the Series 2016 A/B Bonds will be taken into account in determining the status of the Authority and the County as qualified small issuers for the calendar year 2016 pursuant to Section 265(b)(3) of the Code. The Authority does not reasonably anticipate having more than \$10,000,000 in qualified tax-exempt obligations during calendar year 2016 representing new money transactions, and will not designate more than \$10,000,000 of such qualified tax-exempt obligations pursuant to such Section 265(b)(3).

8. **Declaration of Official Intent to Reimburse.** The Authority hereby agrees that the Academy may proceed to enter into arrangements for the construction and equipping of the new money portion of the Project and take any and all such other steps as the Academy may deem appropriate in connection therewith, provided, however, that nothing herein shall be deemed to obligate the Authority without its consent in each instance, acting at the request of the Academy, to the payment of any monies or the performance of any actions in connection in any manner with the Project.

The Authority hereby declares its intent and reasonable expectations for the Academy to be reimbursed for costs and expenses relating to the Project with a portion of the proceeds of the 2016A Bond. Accordingly, this Resolution constitutes a declaration of “official intent” under Treasury Regulations Section 1.150-2 of the Tax Code, and the Authority hereby agrees that reimbursement may be made, if and when the 2016A Bond shall be issued by the Authority, as may be requested by the Academy, to the extent permitted by law for the costs of the Project so incurred by the Academy.

It is to be understood that, on the date of such expenditures in connection with the Project, such expenditures will constitute capital expenditures (or would do so with a proper election under general federal income tax principles) or will otherwise comply with the requirements of Treasury Regulations Section 1.150-2(d)(3) of the Tax Code. Further, the Academy has represented to the Authority that the adoption of this Resolution by the Authority to make a declaration of official intent regarding such reimbursement is consistent with the budgetary and financial circumstances of the Academy.

The maximum principal amount of the 2016A Bond expected to be issued by the Authority in connection with the new money portion of the Project is approximately \$1,720,000.

In accordance with the Tax Code, the Academy will make (or cause to be made) a reimbursement allocation to evidence the use of proceeds of the 2016A Bond to reimburse such expenditures with the new money portion of the Project no later than eighteen (18) months after

the later of the date on which each such expenditure is paid or the new money portion of the Project is placed in service or abandoned, but in no event more than three (3) years after the date on which such expenditure is paid. It is to be noted that certain exceptions are available under the Tax Code for “preliminary expenditures,” costs of issuance, and certain *de minimis* amounts, as provided by law. Further, as provided under Treasury Regulations Section 1.150-2(d)(1), the official intent declared by this Resolution shall cover qualifying expenditures at any time after the date sixty (60) days before the effective date of this Resolution. Provided, however, it is to be understood that, under all circumstances, all costs and expenses in connection with the 2016A Bond and the new money portion of the Project, including but not limited to the fees and expenses of Authority and legal counsel, shall be paid from the proceeds of the 2016A Bond to the extent permitted by law or otherwise from funds provided by (or on behalf of) the Academy. If for any reason the Series 2016 A/B Bonds are not issued by the Authority, the Authority shall have no responsibility or liability to pay any costs or expenses, except to the extent that the Academy shall provide specific funds therefore.

**9. Tax Compliance Matters.** The Authority authorizes and directs its officers to execute and deliver all certificates, instruments and documents and to take all such further actions as they may consider necessary or desirable in connection with the issuance and sale of the Series 2016 A/B Bonds and to carry out the intent and purposes of the Project, including, without limitation, the execution and filing of any Basic Documents with respect to the expected uses of the proceeds of the Series 2016 A/B Bonds to show that such expected uses will not violate the provisions of the Tax Code applicable to “arbitrage bonds,” making any elections, at the request of the Academy (if any), that such officers deem desirable regarding any provisions requiring rebate to the United States (if at all), and providing for the Academy to pay any such amount(s), if required.

**10. Virginia State Non-Arbitrage Program.** To the extent necessary, the Authority hereby approves participation in the State Non-Arbitrage Program of the Commonwealth of Virginia (“Virginia SNAP”) in connection with the proceeds of the Series 2016 A/B Bonds, as may be advised by Davenport and BotkinRose PLC, and hereby authorizes execution of any necessary documentation for participation with Virginia SNAP.

**11. Further Acts.** The Chairman, the Vice Chairman, the Secretary and all officers, employees and agents of the Authority are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Series 2016 A/B Bonds, all as may be advised by legal counsel. All acts of the officers of the Authority which are in conformity with the purposes and intent of this Authority Resolution, and the carrying out the terms of the Project as presented to the Authority at this meeting, are hereby approved, ratified, and confirmed.

**12. Immediate Effect.** This Authority Resolution shall take effect immediately.

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Chairman, Economic Development Authority  
of Rockingham County, Virginia

**CERTIFICATE OF VOTES**

The following is a record of the roll-call vote by the Economic Development Authority of Rockingham County, Virginia (the “Authority”), on a resolution entitled, “RESOLUTION OF THE ECONOMIC DEVELOPMENT AUTHORITY OF ROCKINGHAM COUNTY, VIRGINIA APPROVING THE ISSUANCE OF REVENUE BONDS FOR THE BENEFIT OF CENTRAL SHENANDOAH CRIMINAL JUSTICE TRAINING ACADEMY”, approved at the public meeting of the Authority, duly called and held on June 22, 2016, at which public meeting at least a quorum of the Authority was present and acting throughout:

	AYE	NAY	ABSTAIN	ABSENT
Douglas Driver, Chairman				
Timothy G. Hulings, Vice Chairman				
Nathan Miller				
Paul Wiseman				
L.B. Branner				
Neil W. Hayslett				
Gary Burner				

Dated: June 22, 2016

[SEAL]

\_\_\_\_\_  
Secretary, Economic Development Authority  
of Rockingham County, Virginia

1. Personnel vacancies

Utilities: no vacancies

Landfill: (1) Heavy Equipment Operator, (1) Scale Operator

Refuse & Recycle: no vacancies

Public Works Admin: Construction inspector (Miss Utility)

Facilities Maintenance: no vacancies

Three heavy equipment operators at the landfill have resigned over the past three months. One experienced operator left for a maintenance job at JMU, and the other two persons were young operators (trained by the landfill and promoted to operator II), who left for higher paying positions at the Harrisonburg Rockingham Regional Sewer Authority. The information we are receiving from other employers seeking equipment operators is that equipment operator positions are hard to fill due to the limited number of qualified applicants in the immediate area.

2. Utilities

Pleasant Valley 16" Waterline

Update: 100% of the pipe installed as of 6/8/16. Water line is being pressure and bacteria tested and will be put in use upon receiving complete test results. Restoration is underway followed by punch list items to reach final completion by June 30, 2016.

3. Landfill

A. Landfill Entrance Project.

Wet weather in May and early June caused some delay but 20% of the material has been stockpiled. Grading is underway for the convenience center retaining wall footer area, with forming of the footers to begin by July 1<sup>st</sup>. Blasting continues and is also expected to be completed by July 1<sup>st</sup>.

Staff met with Harman Construction and Trumbo Electric to confirm the details of their respective proposals. Both contractors are returning with amended plans, applying for permits, and expect to be onsite mid-August.

Work for the entrance project remains on schedule:

1. Board approval 2/24/16
2. City plan approval 3/23/16
3. Notice to Proceed 3/28/16
4. Substantial Completion 11/1/16
5. Final Completion 12/1/16

4. Recycling & Satellite Sites

The second 2016 Household Hazardous Waste Collection day at the City's recycling center, was well attended by the City/County residents. They took advantage of the opportunity to dispose of paint, fertilizer and other hazardous waste that can't be collected by the City or disposed of at the Landfill. These events continue to be a great partnership between the City and the County.

5. Facilities Maintenance

Monday, 6/20/16 is the start of the District Courts elevator modernization. This is a 3-4 week process. During this time, arrangements have been made to escort people who need elevator assistance to the secure elevator for second floor access.

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

### HOUSE BILL 2 TRANSPORTATION PROJECT APPLICATIONS: ROUNDS 1 & 2 (Rhonda Cooper)

#### Round 1:

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 voted on by the Commonwealth Transportation Board (CTB) in June. The Rawley Pike (U.S. 33) and South Valley Pike (U.S. 11) projects are included in the list of recommended projects.

#### Round 2:

Staff will resubmit an application in the upcoming round for the Mayland Road (VA 259) project. Additional projects to be submitted are:

- Bicycle lanes on Dinkel Avenue (Rt. 257) from Town of Bridgewater to US 11, lane improvements on Dinkel Avenue west of US 11, and road improvements on Friedens Church Road (Rt. 682) from US 11 to the railroad crossing project;
- Alignment of intersection of Route 704 (Oakwood Drive and Cecil Wampler) with South Valley Pike (US 11)

### USDA RURAL DEVELOPMENT: ADDITIONAL WORKSHOP OFFERED (Rhonda Cooper)

Anne Herring, USDA's Virginia Rural Development Coordinator, has offered to hold a targeted workshop(s) for the Departments of Fire and Rescue and Economic Development.

On Monday, April 25, from 9 a.m. to noon, in the Rockingham County Administration Center's Community Room, Anne Herring and other staff from Virginia's USDA Rural Development office offered information to Rockingham County staff about funding available through USDA-Rural Development's programs. This was an opportunity for local governments, community leaders, not-for-profits, and other organizations to learn how they might partner with USDA-Rural Development on community projects such as:

- sewer and water improvements;
- homeownership and essential housing improvements;
- community facility projects including health care clinics, police and fire stations, community centers, schools and child care centers;
- broadband projects; and
- rural business initiatives.

### ROCKINGHAM BICYCLE ADVISORY COMMITTEE (RBAC) (Rhonda Cooper)

The RBAC's next meeting is July 21. The committee met April 21 to update its Annual Work Plan in light of the draft County Bicycle and Pedestrian Plan. On February 18, the Committee recommended that the final draft of the Rockingham County Bicycle and Pedestrian Plan move forward to public comment and then to Planning Commission and Board hearings.

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

The MPO TAC is expected to forward a final draft MPO Plan and recommend it for public release to the Policy Board in early summer. 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. Both plans are expected to be ready for final action by autumn.

### **PORT REPUBLIC RURAL VILLAGE GRANT PROJECT (Rhonda Cooper)**

Paradigm Design is expected to have a draft Rural Village Plan by mid-summer. The Shenandoah Valley Network (SVN) and Community Alliance for Preservation (CAP) staff and the project consultant, Paradigm Design, held the last of three community workshops on April 7. The consultant presented the vision and values expressed by the group, and the community's preferences for implementation of its vision for the future. By early summer, the consultants will have a draft rural village report and recommendations.

Community workshops in Port Republic, held on January 21 and February 18, were used to describe the planning process, to receive input on what the community considers to be its assets and liabilities now and in the future, and to discuss techniques to maintain the character of the Port Republic village.

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.

### **E-911 TO NEXT GENERATION 911 TRANSITION (Kendrick Smith)**

The Virginia E-911 services board has begun planning for a transition to NG-911. Currently, our 911 system is based on an aging technology, an analog network. Our 911 system is dependent on service providers, and they will soon be moving away from analog networks and into IP (Internet Protocol) networks. Due to this transition, our 911 system will soon have to be based on an IP network as well. In a 911 system based on an IP network, GIS will be the primary database for routing emergency calls rather than the MSAG (Master Street Address Guide) and the database of phone numbers maintained by service providers that are used now.

VITA (Virginia Information Technologies Agency) has been working with local government GIS technicians to begin the process of ensuring our GIS data is up to par. Rockingham County GIS recently submitted their data to VITA for analysis to gauge the readiness of the data. The results of the analysis were very positive, with 96.8% of our address points matching the addresses maintained by Verizon. Ninety-five percent of our road centerlines matched the MSAG that is maintained by HRECC. Both of these numbers were high across analyses that VITA has completed across the state of Virginia.

Although the County GIS data is in great shape currently, there is still a lot of work to be done. The NG-911 Regional Advisory Council has selected 2019-2020 as a preliminary target date for switching to IP based 911 systems. We should have no issues being able to be in compliance by that time. The current list of errors within our GIS data will most likely take two to three months to be corrected. Once the corrections have been made, we will send the data back to VITA for another analysis to gauge our accuracy again and see if other issues arise.

**CITYVIEW RE-ADOPTION PROJECT MANAGEMENT PLAN** (James May)

At the beginning of 2016, Community Development staff began meeting regularly with members of Technology staff to review the various issues that had arisen over ten years of CityView as the tracking software for the Department. This review generated a list of seven projects to improve the internal processes of the Department as a whole. These projects include improving the tracking of all internal processes through CityView, standardizing the file organization system, converting historic files and data for storage and analysis, opening the CityView Portal, and standardizing all letters and reports. The completion of this Project Management Plan will provide a path forward for addressing these issues. The outcome of this project will be a more efficient and coordinated administrative process fully utilizing the available tools through improved integration of multiple software packages and staff responsibilities.

**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 on December 15, 2010. Staff recommends reworking this Plan as part of the Comprehensive Plan revisions.

**PLANNING COMMISSION ACTIONS**

The following items were heard by the Commission on June 7:

Item	Description	Comments/ Recommendations
<b>REZ16-131</b>	SVEC, P.O. Box 236, 147 Dinkel Avenue, Mount Crawford, VA 22841, to rezone TM # 123-(A)- L85, totaling 18.027 acres, located northeast of South Valley Pike (Rt. 11) and east of Oakwood Drive (Rt. 704), from General Agricultural District (A-2) to General Business District (B-1). The Comprehensive Plan identifies this area as Commercial. It is located in Election District 2.	Approval, to be heard by Board June 22

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

Item	Description	Comments/ Recommendations
<b>OA15-188</b>	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; Staff revisions are underway; Board hearing TBA

## COUNTY-INITIATED AMENDMENTS

1. Request and Reason: When another special use permit came before the Board at its public hearing on March 9, 2016 for a waiver to supplemental standards for distance between accessory dwelling and primary dwelling and for increased size for the accessory dwelling, the County Attorney asked the Board if it felt it was time for staff to look at these supplemental standards to see if change was needed. The Board authorized staff to study the supplemental standards for accessory dwellings.

Status: Staff is reviewing the best way to work with the accessory dwellings as well as other supplemental standards.

2. Request and Reason: Due to the increasing number of requests for waivers to supplemental standards, at its meeting on April 27, the Board directed staff to study the supplemental standard process.

Status: This is work that will take some time, but staff will begin working with the County Attorney in an endeavor to develop better criteria for supplemental standards.

3. Request and Reason: After receiving several inquiries about enclosing decks, adding a room on a concrete patio, etc., (in old ordinance, decks, patios, etc. could encroach 50%) in rear yards of agricultural districts, the Board, at its May 18<sup>th</sup> meeting, authorized staff to review the rearyard setbacks in the agricultural districts and draft an ordinance if determined they should be changed.

Status: An ordinance amendment reducing rearyard setbacks to 25' for primary structures and for accessory structures over 580 sq. ft. and for increasing setbacks for accessory dwellings from 5' to 25' in the A-1, A-2, and RV zoning districts will be taken to the Planning Commission on July 5.

## UPCOMING PUBLIC HEARINGS

**June 8, 2016**

**Board of Supervisors**

**6:00 p.m.**

### **Agricultural & Forestal Districts**

None.

### **Special Use Permit**

**SUP16-132** SVEC, PO Box 236, Mt. Crawford, 22841 for an increase in building height from 45' to 65' on property located on the northeast side of S. Valley Pike (Route 11) and Oakwood Drive (Route 704), Election District #2, zoned A-2 (pending B-1 zoning), Tax Map #123-(A)-85.

### **Rezoning- Not involving a public hearing**

None.

### **Rezoning- Requiring a public hearing**

**REZ16-131** SVEC, P.O. Box 236, 147 Dinkel Avenue, Mount Crawford, VA 22841, to rezone TM # 123-(A)- L85, totaling 18.027 acres, located northeast of South Valley Pike (Rt. 11) and east of Oakwood Drive (Rt. 704), from General Agricultural District (A-2) to General Business District (B-1). The Comprehensive Plan identifies this area as Commercial. It is located in Election District 2.

**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 7/21/16.	Ongoing

Ongoing Review/Tasks	Lead Person	Status
Deed Review	Diane	20 deeds in process as 5/31/16: 9 pending review, 11 awaiting revisions
Violations	Kelly	49 active complaints, 21 cases pending legal action as of 6/14/16
Site Plans & Subdivisions	Pete	10 site plans and 2 subdivisions under review as of 6/13/16
Subdivision Ordinance Variances	Diana	0 requests under review, as of 6/13/16
Zoning Ordinance Variances	Diana	0 request under review, as of 6/13/16
Zoning Appeals	Diana	0 requests under review, as of 6/13/16
Home Occupation Permits	Diana	0 permit requests under review, as of 6/13/16
Home Business Permits	Diana	0 permit requests under review, as of 6/13/16
Special Use Permits	Diana	6 permit requests under review, as of 6/13/16
Special Entertainment Permits	Diana	2 permit requests under review, as of 6/13/16
Rezoning	Rhonda	4 rezoning requests under review, as of 6/14/16
Comprehensive Plan Amendments	Rhonda	0 request under review, as of 6/14/16
Permits and Fees Processed	Joe	688 total transactions for month of May 2016
Building Inspections	Joe	879 inspections conducted during May 2016 (averaged 41.86 inspections per day)
Building Plans	Joe	27 Plans under review, as of 6/13/16
Environmental (E&S/Stormwater) Plan Review	Lisa	18 plans under review as of 06/14/16, 20 awaiting permit issuance
Environmental Inspections	Lisa	195 inspections conducted as of 06/14/16
Addressing Commercial/Residential Structures	Kendrick	26 new structures addressed in May 2016
Naming of New Roads	Kendrick	1 new private lane named in May 2016

**REQUESTS TABLED BY BOARD OF SUPERVISORS**

<b>SPECIAL USE PERMIT APPLICATION(S)</b>					
<b>Year Tabled</b>	<b>Date Tabled</b>	<b>File</b>	<b>Applicant</b>	<b>Request</b>	<b>Election District</b>
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<b>REZONING REQUEST(S) and PLAN(S)</b>					
<b>Year Tabled</b>	<b>Date Tabled</b>	<b>File</b>	<b>Applicant</b>	<b>Request</b>	<b>Election District</b>
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
2016	Mar 23	REZ16-018	Sentara RMH Medical Center	To rezone TM# 125-(17)- L1, L1A; 125-(A)-L121, L135, L136, totaling 238.61 acres, currently zoned General Business District (B-1) and General Agriculture District (A-2), to Planned Medical and Research District (PMR). The Comprehensive Plan identifies this area as Mixed Use.	3

<b>ORDINANCE AMENDMENTS</b>					
<b>Year Tabled</b>	<b>Date Tabled</b>	<b>File</b>	<b>Applicant</b>	<b>Request</b>	
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**STAFF DIRECTORY**

<b>Name</b>	<b>Job Title</b>	<b>Office Number</b>	<b>Mobile Number</b>
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	Environmental Manager	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 - May 2016**

	Permits Issued					Fees Collected				
	May-16	May-15	One Year Change	Jan-May 2016	Jan-May 2015	May-16	May-15	One Year Change	Jan-May 2016	Jan-May 2015
<b>Building</b>										
Commercial/Industrial	14	37	-62.2 %	57	72	\$ 21,037.94	\$ 22,229.66	-5.4 %	\$ 71,457.95	\$ 72,822.72
Manufactured	6	4	50.0 %	21	19	\$ 680.55	\$ 594.15	14.5 %	\$ 2,340.35	\$ 2,289.80
Single Family	31	47	-34.0 %	118	129	\$ 27,808.95	\$ 56,064.72	-50.4 %	\$ 119,836.28	\$ 137,843.46
Subtotal	51	88		196	220	\$ 49,527.44	\$ 78,888.53		\$ 193,634.58	\$ 212,955.98
<b>Plumbing</b>										
	3	0	0.0 %	20	0	\$ 292.79	\$ 0.00	0.0 %	\$ 1,979.37	\$ 0.00
Subtotal	3	0		20	0	\$ 292.79	\$ 0.00		\$ 1,979.37	\$ 0.00
<b>Electrical</b>										
	30	48	-37.5 %	113	146	\$ 1,789.28	\$ 3,115.02	-42.6 %	\$ 6,450.54	\$ 9,294.43
Subtotal	30	48		113	146	\$ 1,789.28	\$ 3,115.02		\$ 6,450.54	\$ 9,294.43
<b>Mechanical</b>										
	5	6	-16.7 %	21	26	\$ 357.12	\$ 255.00	40.0 %	\$ 1,554.12	\$ 1,300.50
Subtotal	5	6		21	26	\$ 357.12	\$ 255.00		\$ 1,554.12	\$ 1,300.50
<b>Other</b>										
	72	58	24.1 %	215	217	\$ 15,433.77	\$ 13,601.82	13.5 %	\$ 53,761.41	\$ 106,076.35
Subtotal	72	58		215	217	\$ 15,433.77	\$ 13,601.82		\$ 53,761.41	\$ 106,076.35
<b>Land Use Related</b>										
Erosion and Sediment Permit:	2	3	-33.3 %	16	20	\$ 4,900.00	\$ 2,750.00	78.2 %	\$ 25,110.00	\$ 72,442.00
Subtotal	2	3		16	20	\$ 4,900.00	\$ 2,750.00		\$ 25,110.00	\$ 72,442.00
<b>Total</b>	<b>163</b>	<b>203</b>		<b>581</b>	<b>629</b>	<b>\$ 72,300.40</b>	<b>\$ 98,610.37</b>		<b>\$ 282,490.02</b>	<b>\$ 402,069.26</b>



# Community Development Rezoning Report REZ16-131

**Planning Commission**  
June 7, 2016

**Board of Supervisors**  
June 22, 2016

<b>Applicant</b>	SVEC
<b>Tax Map Id</b>	123-(A)- L85
<b>Present Zoning</b>	General Agricultural District (A-2)
<b>Proposed Zoning</b>	General Business District (B-1)
<b>Location</b>	West of South Valley Pike (U.S. 11), north of Oakwood Drive (Rt. 704)
<b>Acreage</b>	18.027 acres
<b>Election District</b>	2
<b>Comprehensive Plan</b>	Mixed Use Center

<b>Staff Recommendation:</b>	Approval	May 31, 2016
<b>Planning Commission:</b>	Approval	June 7, 2016
<b>Board of Supervisors:</b>		

## **GENERAL INFORMATION**

### **OVERVIEW / BACKGROUND**

This property lies between an industrial district to the south along South Valley Pike near Mt. Crawford and a commercial district to the north along South Valley Pike near the city limits of Harrisonburg. The parcel lies between the intersection of South Valley Pike and Oakwood directly to the south and the intersection of South Valley Pike and Cecil Wampler Road approximately 250 feet to the north.

### **PROFFERS<sup>1</sup>**

The applicant has not submitted any proffered conditions to this rezoning request.

### **COMPREHENSIVE PLAN**

The Comprehensive Plan identifies this area as Mixed Use Center. It also identifies the area directly to the south of this property as Industrial and the area directly to the east as Commercial. The Mixed Use Center is a subset of the Community Residential land use area, and calls for residential areas mixed with civic or commercial uses. The Commercial areas are focused along the primary roads of the County and include retail, office space, and mixed use areas. Industrial areas offer good access to primary roads and include distribution centers, warehouses, and accessory office space.

### **ZONING AND EXISTING LAND USE**

From a zoning standpoint, there are no objections to this request. They will need a site plan at which time we will look at setbacks, parking, etc. They will be applying for a special use permit for the building height and, in time, for a telecommunications tower.

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<sup>1</sup> Proffers are voluntary contributions made by developers to the County through the conditional zoning process. Proffers are binding commitments which become a part of the County's zoning ordinance as it pertains to a specific property.

### Adjoining Properties and Uses

Direction From Site	Zoning	Existing Land Use
North	General Agricultural District (A-2)	Agriculture
East	General Agricultural District (A-2)	Agriculture
South	General Business District (B-1)	Shooting Range
West	Prime Agricultural District (A-1)	Agriculture

## STAFF AND AGENCY ANALYSIS

### UTILITIES

#### Public Works

Public water is available to the property from two possible locations. A 12" main is on the east side of Rt. 11 and would require a road bore to bring the water to the property. An 8" line is located along Oakwood Drive and would potentially require easements to access the line. The access point would be near the southwest corner of the property. For public sewer, the Harrisonburg Rockingham Regional Sewer Authority has a gravity line located on property on the east side of Rt. 11 and would require a road bore and potentially an easement to access the line. There is also a Rockingham County line on property on the south side of Oakwood Drive. Connection to this line would require a road bore and potentially easements to access the line.

#### Health Department

No comments; public utilities to serve the development. If there are any wells that need to be abandoned a permit should be obtained from the health department.

## ENVIRONMENTAL

### Soils



Slopes are 0 to 15 percent. Depth to a root restrictive layer in 14C2 and 17C2, bedrock (lithic), is 20 to 40 inches. In all other areas, it is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer of 14C2 is moderately low; in the most restrictive layer of 17C2 is moderate; in all other areas is moderately high. Available water to a depth of 60 inches is very low in 14C2, low in 17C2, and moderately high in all other areas. Shrink-swell potential is high in 14C2, moderately high in 17C2, low in 68B, and moderate in all other areas. This soil is frequently flooded in area 68B only. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

### Environment

No comments.

## PUBLIC FACILITIES

### Schools

Rockingham County Public Schools has no objections to the proposed rezoning of TM# 123-(A)-L85 from General Agricultural (A-2) to General Business (B-1).

### Fire & Rescue

This property is located within the Bridgewater Volunteer Fire Department and Bridgewater Volunteer Rescue Squads respective response areas. With the continued construction and growth within the County, our office has concerns with being able to provide emergency services to new and upcoming projects and locations while maintaining current emergency responses. This project will have to meet the requirements of the Rockingham County Fire Prevention Code once started.

### Sheriff

The Sheriff's Office has no comment.

## **TRANSPORTATION**

### Traffic Counts

<b>Road</b>	<b>Classification</b>	<b>Geometry</b>	<b>Traffic Count*</b>	<b>Posted Speed</b>
South Valley Pike (Rt 11)	Minor Arterial	4-Lane Divided	12,000	55 mph
Oakwood Drive (Rt 704)	Major Collector	2-Lane Highway	3,800	45 mph

\* Vehicles Per Day (VPD)

### VDOT

1. The expected traffic generation from 18 acres of business property could be substantial. Having no master plan or proffers, we assume that the use could be the highest intensity permitted by the B-1 district.
2. Oakwood Drive (Rt. 704) is currently carrying a great deal of traffic for the existing road geometry. An improvement project is a possibility in the future. For this reason, an increased setback requirement for elements of the site should be considered. The existing right-of-way appears to be a 30' prescriptive right-of-way. Additional fee-simple right-of-way will be required to make roadway improvements.
3. A right turn lane from Rt. 11 to Rt. 704 has been explored as a road improvement project in the past. The addition of the commercial traffic generated by this site will make a right turn lane even more needed. It is my understanding that right-of-way negotiations with the previous landowner made the project cost prohibitive in the past. It is essential to obtain the sliver of land between the Rt. 11 right-of-way and the older turnpike right-of-way before the project can be completed; the right turn

lane would benefit the users of this development as well as the users of Rt. 11 and Oakwood Drive.

4. The only plan of development that has been viewed by VDOT consisted of a conceptual site plan during the pre-application review period; that plan was not made available in the application packet for rezoning. However, I bring it up to discuss entrance access options. Any entrance must meet the requirements of Appendix F of the Road Design Manual. The more specific concern is the intersection sight distance requirements (500' 2-lane, 45 mph):
  - a. The entrance shown on the sketch along the northern property line, and potentially used as an access for fairground events, does not appear to meet sight distance. The best location, which would still need to be verified, is across from the existing commercial entrance approximately 185' north of the property line. An entrance in this location would obviously require additional land acquisition or an easement.
  - b. The second entrance, closer to Rt. 11, appears to be planned for approximately 400' south of the north property line. This location also appears to have questionable sight distance. The best location near this point, which would have to be verified by survey, is approximately 100' north of the planned location, which is around 300' south of the north property line.
  - c. I highly recommend survey verifying the sight distance availability as soon as possible to determine potential access options. The two alternate locations mentioned above appear to be the best options, and appear to have a high likelihood of meeting the requirement; however, due to grass growth and existing physical features, it is not possible to guarantee with certainty without a topographical physical feature survey and sight line profiles.
5. If additional plans, proffers, or agreements are made as a result of these or other comments, VDOT requests to have the opportunity to review the additional documents prior to the hearing.

## **SUMMARY**

### Considerations

- The Comprehensive Plan identifies this area for Mixed Use and the adjacent land for Commercial and Industrial use.
- Public utilities are available to the site but would require a road bore.
- VDOT has expressed multiple concerns with the impact that commercial development may have on the road network in this area.

- The applicant is currently negotiating a memorandum of understanding with VDOT to address these concerns.

Staff Recommendation: Approval

May 31, 2016

Whereas this request conforms to the Comprehensive Plan, and whereas the applicant has recognized the need to mitigate the impact on the road network, staff recommends approval.

Planning Commission Recommendation: Approval

June 7, 2016

Whereas this request conforms to the Comprehensive Plan, and whereas the applicant has worked with VDOT to mitigate the impact on the road network, the Planning Commission recommends approval by a vote of 4 to 0.

Board Decision:

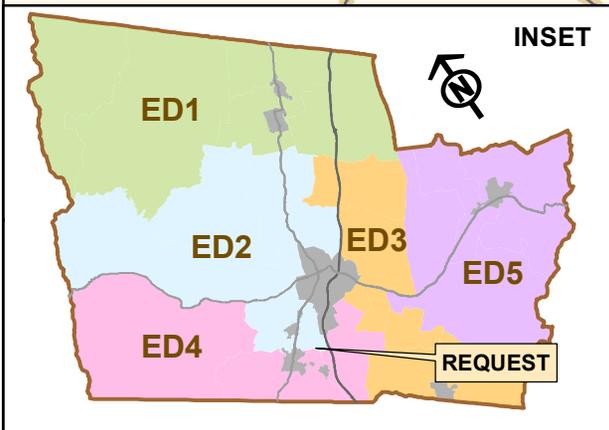
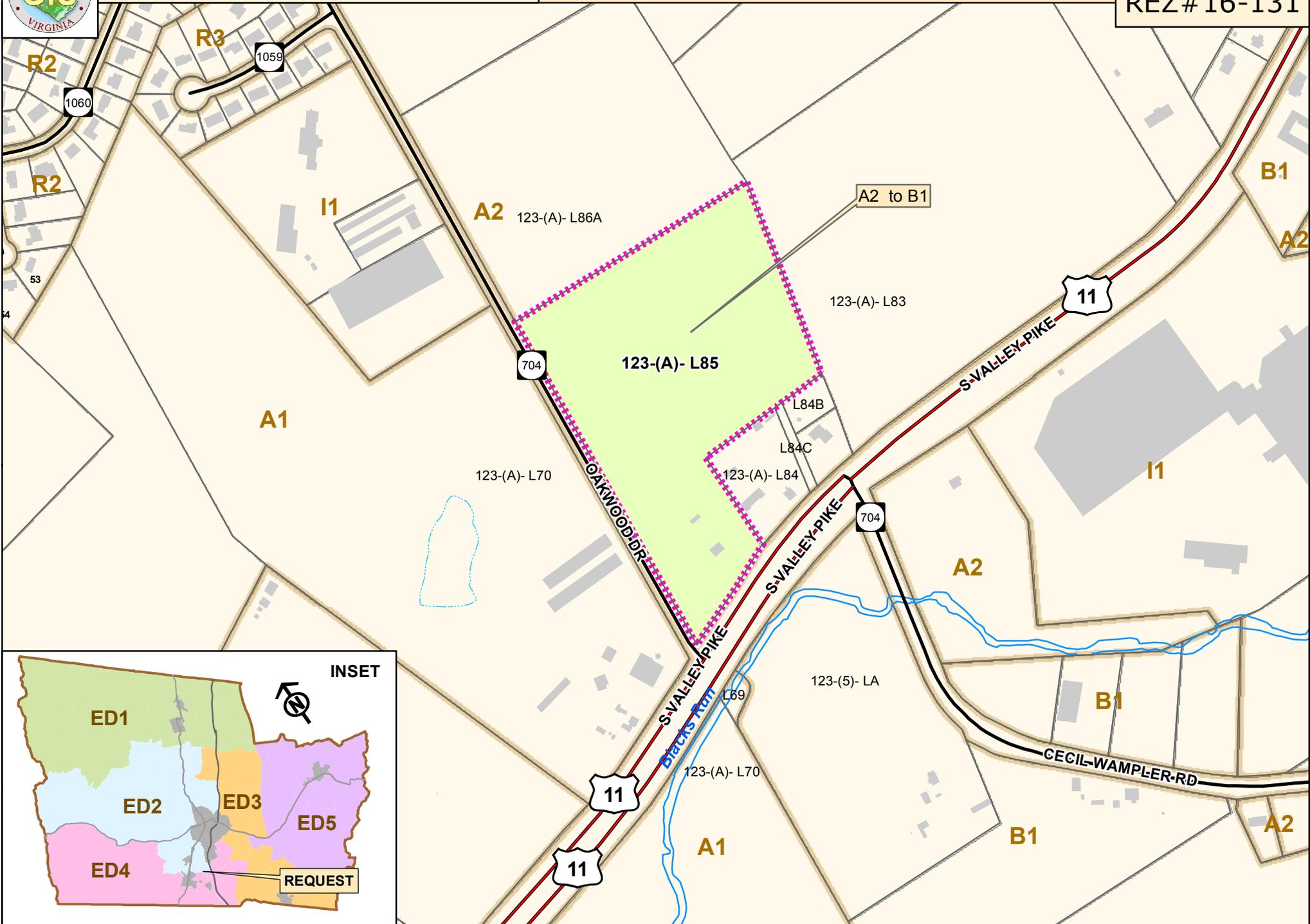


# SVEC Rezoning Request



PC Hearing Date: 6/07/2016  
BOS Hearing Date: 6/22/2016

REZ# 16-131



**APPLICATION TO REZONE AN 18.027-ACRE TRACT OF LAND  
LOCATED AT 70 OAKWOOD DRIVE, ASHBY DISTRICT**

**PROFFER OF SHENANDOAH VALLEY ELECTRIC COOPERATIVE  
JUNE 6, 2016**

1. Shenandoah Valley Electric Cooperative (SVEC) will donate to the Commonwealth of Virginia the land<sup>1</sup> reasonably needed for the construction by the Virginia Department of Transportation (VDOT) of a right turn lane, and shall contribute \$100,000 towards the construction of the right turn lane. The lane shall be adjacent to the southbound lane of Route 11 and extend from the intersection of Oakwood Drive and Route 11, in a northerly direction along Route 11. The length, width and associated taper of the lane shall be designed by VDOT.

2. SVEC shall pay \$15,000 toward either the construction or synchronization of a new traffic signal at the intersection of Cecil Wampler Road and Route 11. The new signal shall be synchronized with the existing traffic signal at the intersection of Oakwood Drive and Route 11. Payment shall be made by SVEC after construction and synchronization occurs.

3. SVEC supports the planning goal of VDOT to reroute the northwestern terminus of Cecil Wampler Road to the southeast side of Route 11 across from its intersection with Oakwood Drive. SVEC plans to construct a headquarters and district service facility facing the intersection of Oakwood Drive and Route 11. To aid in the rerouting of Cecil Wampler so that it terminates at Route 11 across from the terminus of Oakwood Drive, which rerouting will preserve the proper orientation of the SVEC facility, SVEC agrees if the rerouting project comes to fruition to convey to the Commonwealth of Virginia land located at the intersection of Route 11 and Oakwood Drive, in the approximate location and not to exceed the size shown on **Exhibit A** hereto (24,900 square feet). Such a conveyance will be negotiated without the need for the exercise of the Commonwealth's power of eminent domain, with all terms to be mutually agreed at the time of conveyance. SVEC's commitment regarding this land shall expire on June 1, 2036.

4. As a distributor of electricity serving more than 93,000 consumers in a multi-jurisdictional area of the Shenandoah Valley, SVEC is a part of the critical infrastructure Energy Sector affected by Presidential Policy Directive 21, implemented by the Department of Homeland Security and the Department of Energy. SVEC's mandated resilience in responding to threats to the regional power supply is dependent

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<sup>1</sup> See area shown in light blue on attached **Exhibit A**. This exhibit is derived from a survey plat and contains certain superseded information unrelated to this proffer. The Commonwealth is the owner of the 40' strip shown as "Valley Turnpike Co."

upon the highway system throughout its service territory, and particularly the roads providing access to the facility to be constructed if the property is rezoned as requested. It is imperative that SVEC oversized vehicles and passenger vehicles be able to access Route 11 in both directions at a signalized intersection. For this reason, SVEC supports the existing traffic light and the intersection at Route 11 and Oakwood Drive as presently configured. It is mission-critical that SVEC's vehicles be able to access the new facility at a controlled intersection. The present configuration provides this necessary access and SVEC's proffered commitments<sup>2</sup> are conditioned upon the continuation of the present configuration.

5. SVEC at its expense will remove any existing trees along the property lines shared with the parcels owned by Judith K. Warren, to the extent Ms. Warren directs. Further, SVEC at its expense will plant the 81 trees listed on **Exhibit B**<sup>3</sup> upon SVEC land, along the entire common boundary of SVEC's and Ms. Warren's land. If Ms. Warren chooses to leave existing boundary trees standing, SVEC will plant the 81 trees on SVEC land, farther back from the boundary and away from the existing boundary trees. These plantings will occur after construction is complete.

6. If the SVEC land is rezoned to B-1 pursuant to the pending application, its land will not be used for any of the following uses without further application and land use approval under the Rockingham County Code of Ordinances:

*Farm market*  
*Amusement indoor*  
*Community pool/sport court*  
*Golf Course*  
*Golf driving range*  
*Sports complex*  
*Convenience store*  
*Flea market*  
*Seed and feed store*  
*Animal hospital*  
*Animal shelter*  
*Funeral home, crematory*  
*Kennel operation, commercial*  
*Motor vehicle sales lot*  
*Sale of manufactured homes, campers, camper trailers, and recreational vehicles,*  
*exempt from enclosure*  
*Taxidermy*  
*Impound lot*  
*Buggy and harness shop, repair and sales*  
*Water storage tank*

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<sup>2</sup> Excluding SVEC commitments with respect to the Warren land.

<sup>3</sup> Subject to availability at the time of planting. To the extent substitutions are necessary or advisable, SVEC will coordinate the selection with Ms. Warren.

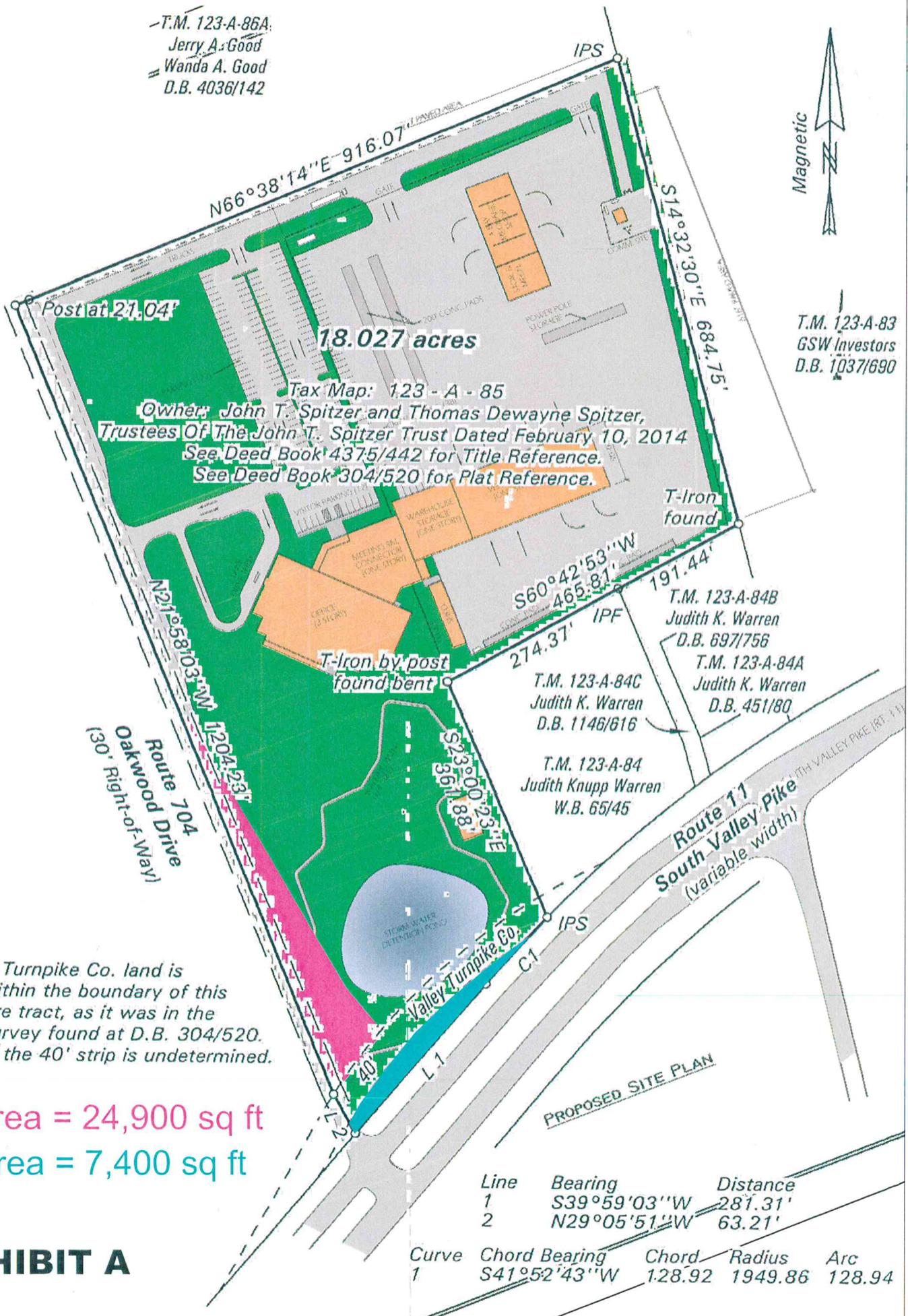
SHENANDOAH VALLEY ELECTRIC COOPERATIVE

By: Myron D. Rummel  
Myron D. Rummel, President & CEO

-T.M. 123-A-86A,  
 Jerry A. Good  
 Wanda A. Good  
 D.B. 4036/142



T.M. 123-A-83  
 GSW Investors  
 D.B. 1037/690



18.027 acres  
 Tax Map: 123 - A - 85  
 Owner: John T. Spitzer and Thomas Dewayne Spitzer,  
 Trustees Of The John T. Spitzer Trust Dated February 10, 2014  
 See Deed Book 4375/442 for Title Reference.  
 See Deed Book 304/520 for Plat Reference.

Note:  
 The Valley Turnpike Co. land is included within the boundary of this 18.027 acre tract, as it was in the previous survey found at D.B. 304/520. Fee title of the 40' strip is undetermined.

Pink Area = 24,900 sq ft  
 Blue Area = 7,400 sq ft

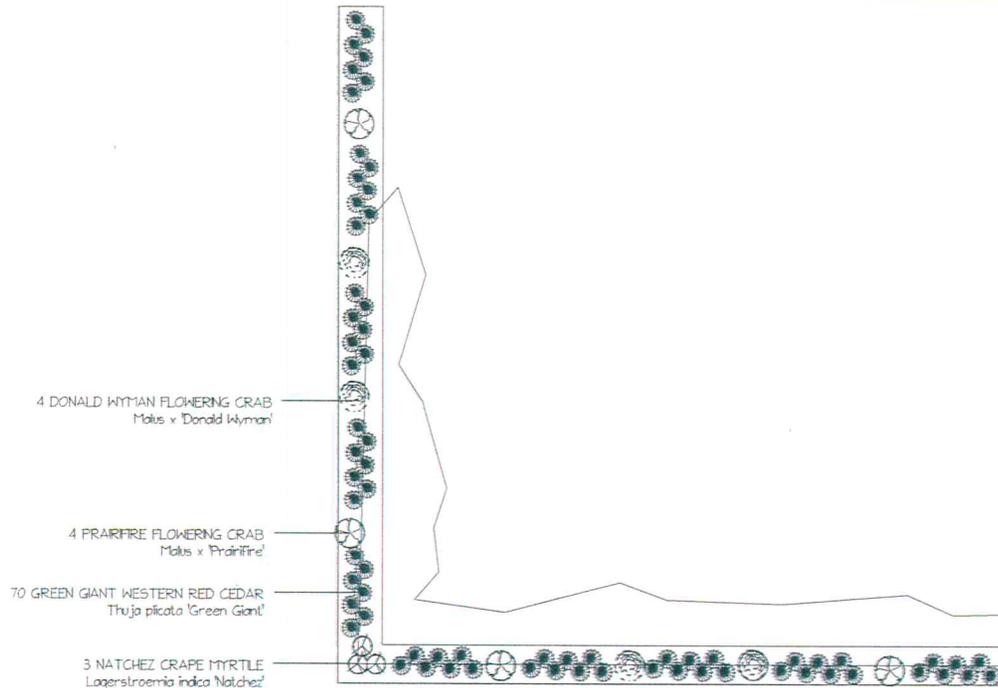
**EXHIBIT A**

Line	Bearing	Distance
1	S39°59'03"W	281.31'
2	N29°05'51"W	63.21'

Curve	Chord Bearing	Chord	Radius	Arc
1	S41°52'43"W	128.92	1949.86	128.94

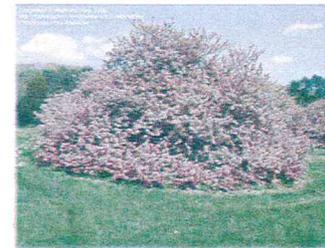
Qty	Botanical Name	Common Name	Size/Condition
Trees			
3	<i>Lagerstroemia indica</i> 'Natchez'	NATCHEZ CRAPE MYRTLE	15 Gallon
4	<i>Malus x</i> 'Donald Wyman'	DONALD WYMAN FLOWERING CRAB	15 Gallon
4	<i>Malus x</i> 'Prairifire'	PRAIRIFIRE FLOWERING CRAB	15 Gallon
70	<i>Thuja plicata</i> 'Green Giant'	GREEN GIANT WESTERN RED CEDAR	3 Gallon



Natchez Crape Myrtle



Donald Wyman Flowering Crabapple



Prairie Fire Flowering Crabapple



Green Giant Arborvitae

NOTES




VILLAGE GARDEN CENTER  
& LANDSCAPE SERVICE

SHENANDOAH VALLEY  
ELECTRIC COOPERATIVE

DESIGNED BY: JEFF FLINT  
DATE: MARCH 2016

PROJECT NO.:  
SHEET NO.: 111



## Community Development Special Use Permit Report SUP16-132

**Meeting Date:** JUNE 22, 2016

<b>Applicant</b>	SHENANDOAH VALLEY ELECTRIC (John Coffey)
<b>Mailing Address</b>	PO BOX 236, 147 DINKEL AVENUE MT CRAWFORD
<b>Property Address</b>	70 OAKWOOD DRIVE, HARRISONBURG
<b>Phone #/Contact</b>	<a href="mailto:jcoffey@svec.coop">jcoffey@svec.coop</a> (540) 574-7252
<b>Tax Map Id</b>	123-(A)- L85
<b>Zoning</b>	A-2 to B-1 (if rezoned)
<b>Requested Use</b>	MAXIMUM BUILDING HEIGHT OF 65'
<b>Location</b>	NORTH SIDE OF S. VALLEY PIKE (RT. 11) ON THE EAST SIDE OF OAKWOOD DRIVE (RT. 704).
<b>Acreage in parcel</b>	18.027
<b>Acreage in request</b>	18.027
<b>Election District</b>	2
<b>Comprehensive Plan</b>	Mixed Use Center

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**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 accordance to plot plan submitted with the application.**
- 2. Building shall comply with the Statewide Building Code and the proper permits shall be obtained.**

**GENERAL INFORMATION**

**SUBMISSION JUSTIFICATION:**

Table 17-606 allows for special use permit application for

**BACKGROUND**

**Adjoining Properties and Special Uses**

<b>Direction From Site</b>	<b>Zoning</b>	<b>Request</b>	<b>Decision</b>
North	A2	None	
East	A2	None	
South	B1	Off-premise directional sign (Pump It Up)	Approved 9/27/06
West	A1	Shooting Range (Flying Rabbit)	Approved 6/19/90

**ZONING AND EXISTING LAND USE****Adjoining Properties and Uses**

<b>Direction From Site</b>	<b>Zoning</b>	<b>Existing Land Use</b>
North	A2	Tillable, pasture
East	A2	Tillable, industrial
South	B1,A2,A2,A2	Home site, commercial
West	A1	Home site, pasture, tillable

**STAFF AND AGENCY ANALYSIS****UTILITIES**Health Department

Public water and sewer to serve.

**ENVIRONMENTAL**Zoning Administrator - Floodplain

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

**PUBLIC FACILITIES**Emergency Services

The property is in the response area of the Bridgewater Volunteer Fire Department and Bridgewater Volunteer Rescue Squads respective first due areas. With the continued construction and growth within the County, our office has concerns with being able to provide emergency services to new and upcoming projects and locations while maintaining current emergency response. This project will have to meet the requirements of the Rockingham County Fire Prevention Code once started.

Building Official

Two sets of drawings will be required by a RDP (registered design professional) for structures to comply with 2012 Va. Construction Code and 2009 ANSI A. 117 Handicap Accessibility Code.

**TRANSPORTATION**VDOT – Road Conditions

No comments or objections. Additional comments have been provided under a separate letter pertaining to the rezoning of the property.

VDOT – Traffic Impact Analysis

N/A

**SUMMARY**

Considerations:

1. The applicant is requesting a special use permit for an increase in maximum building height from 45' to 65.'
2. This special use permit can be acted upon only if the property is rezoned.
3. County water and sewer is available to the property from 2 different locations, both of which would require road bores and possible easements.
4. Fire & Rescue is concerned with being able to provide emergency services to new and upcoming projects and locations while maintaining current emergency responses.
5. According to 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.



# SVEC Special Use Permit Request

6/22/2016



SUP#16-132

