

January 11, 2017

The Organizational Meeting of the Rockingham County Board of Supervisors was held on Wednesday, January 11, 2017, 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:

BRYAN F. HUTCHESON, Sheriff

- STEPHEN G. KING, County Administrator
- THOMAS H. MILLER, JR., County Attorney
- 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
- KELLY S. GETZ, Code Compliance Officer
- JUSTIN S. MOYERS, Deputy Finance Director
- JESSICA G. KILBY, Deputy Clerk
- DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation
- JOSHUA W. DUNLAP, Assistant Residency Administrator
Virginia Department of Transportation
- C. BURGESS LINDSEY, Assistant Residency Administrator
Virginia Department of Transportation

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CALL TO ORDER.

Administrator King called the meeting to order at 3:02 p.m.

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**INVOCATION
PLEDGE OF ALLEGIANCE.**

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

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APPROVAL OF MINUTES.

On motion by Supervisor Eberly, seconded by Supervisor Kyger, 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 December 14, 2016.

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2017 REORGANIZATION OF THE BOARD.

ELECTION OF CHAIRMAN AND VICE CHAIRMAN.

On motion by Supervisor Breedon, seconded by Supervisor Kyger, 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 elected Ricky L. Chandler as Chairman for 2017 and Frederick E. Eberly as Vice-Chairman for 2017.

Administrator King turned the meeting over to Chairman Chandler.

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RECOGNITION OF 2016 CHAIRMAN.

Chairman Chandler and the other Board members expressed appreciation to Supervisor Kyger in recognition of his leadership and professionalism during the past year.

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SETTING OF DAY AND TIME OF REGULAR MEETINGS.

On motion by Supervisor Kyger, 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 set the 2017 meeting schedule as follows: beginning with this meeting held on January 11, 2017, and each second Wednesday thereafter, the first meeting of the month shall commence at 3:00 p.m. and beginning January 25, 2017, and each fourth Wednesday of each month thereafter, the second meeting of the month shall commence at 6:00 p.m., with the following exceptions: there will be only one meeting held in July, on July 19, 2017, at 3:00 p.m.; in November on November 15, 2017, at 3:00 p.m.; and, in December on December 13, 2017, at 3:00 p.m.

The first meeting in April, on April 12, 2017, will include a public hearing on the proposed budget for FY 2017-18.

With regard to meetings delayed due to inclement weather, if a meeting cannot be held due to inclement weather or for any reason as determined by the Chairman, or the Vice-Chairman if the Chairman is not available, the meeting will be held at the scheduled time on the following Wednesday, unless otherwise determined by the Board.

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REVIEW OF COMMITTEE ASSIGNMENTS.

The Board received the following draft of the 2017 Chairman's Committee appointments:

**BOARD OF SUPERVISORS
2017 Chairman's Committee Appointments**

BOARD COMMITTEES:

BUILDINGS AND GROUNDS

Frederick Eberly
Rick Chandler

FINANCE

Michael Breeden
Rick Chandler

PUBLIC WORKS

Pablo Cuevas
Michael Breeden

PERSONNEL-RELATED (Ad Hoc)

Chairman
Vice-Chairman

LIAISON COMMITTEES:

CITY-COUNTY LIAISON

William Kyger
Pablo Cuevas

**AUGUSTA/ROCKINGHAM
LIAISON COMMITTEE**

Frederick Eberly
Rick Chandler

SCHOOL BOARD LIAISON

Pablo Cuevas
Frederick Eberly

TOWNS/COUNTY LIAISON

Chairman
Town's Board Member

OTHER COMMITTEES:

**CENTRAL SHENANDOAH PLANNING
DISTRICT COMMISSION**

William Kyger
Casey Armstrong

TECHNOLOGY COMMITTEE

Frederick Eberly
William Kyger

SOCIAL SERVICES ADVISORY BOARD

Michael Breeden

**MASSANUTTEN REGIONAL
LIBRARY**

Rick Chandler

CHAMBER OF COMMERCE

Frederick Eberly

RELATED LANDS (Federal)

Michael Breeden
Rhonda Cooper

**COMMUNITY CRIMINAL
JUSTICE BOARD**

William Kyger
County Administrator

WORK FORCE INVESTMENT

George Anas
Michele Bridges, alternate

VACO BOARD

William Kyger

METROPOLITAN PLANNING ORGANIZATION

Rick Chandler
Frederick Eberly
Stephen King

Michael Breeden, Alternate
Rhonda Cooper, Alternate
Casey Armstrong, Alternate

Chairman Chandler pointed out one revision to the proposed committee appointments for 2017. Supervisor Eberly will serve on the Metropolitan Planning Organization in place of Supervisor Cuevas.

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AWARD OF SERVICE WEAPON.

Sheriff Hutcheson recognized Sergeant Rodney Morris who retired January 1, 2017, with 26 years of service with the Rockingham County Sheriff's Office. Sheriff Hutcheson pointed out that Sergeant Morris started his career with the County in 1989 as a Deputy in the Jail and most recently, served as Deputy Patrol Sergeant of the Special Operations Unit in the Patrol Division.

Sheriff Hutcheson expressed his appreciation to Sergeant Morris for his dedication to the citizens of Rockingham County and Harrisonburg over the past 26 years.

In accordance with Virginia Code Section §59.1-148.3, Sheriff Hutcheson requested the Board declare the service weapon of Sergeant Morris surplus.

On motion by Supervisor Kyger, seconded by Supervisor Breeden, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board declared a Glock Model 22 with serial number KYY494 surplus, to be awarded to Sergeant Rodney Morris.

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RESOLUTION – LAW ENFORCEMENT APPRECIATION DAY.

Administrator King read the following resolution:

RESOLUTION

Law Enforcement Appreciation Day

WHEREAS, Rockingham County is the proud home of more than 150 dedicated law enforcement officers who risk their lives to protect others and keep our community safe; and

WHEREAS, law enforcement officers, their families and communities face an increasingly difficult role as they protect and serve the public; and

WHEREAS, the men and women who wear the badge understand the dangers of their profession, but heed the call to serve and willingly face those risks every day, in order to create safe communities for all Americans; and

WHEREAS, we appreciate the extraordinary efforts and sacrifices made by officers and their family members on a daily basis, in order to protect our schools, workplaces, roadways, and homes; and

WHEREAS, Law Enforcement Appreciation Day (L.E.A.D.) honors the sacrifices made by those who wear the uniform; whether it's missing family members while working during the holidays, rushing to the aid of a crime victim or comforting those in duress.

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors, on behalf of the citizens of the County, does hereby recognize Law Enforcement Appreciation Day in Rockingham County, and urges all citizens of the County to personally express sincere gratitude to law enforcement officers for their selfless acts of courage, dedication and devotion to keep Rockingham County a safe place to live, work and visit.

On motion by Supervisor Breeden, seconded by Supervisor Kyger, 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 above Resolution in recognition of Law Enforcement Appreciation Day and presented a copy to Sheriff Hutcheson.

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RECESS.

At 3:16 p.m., Chairman Chandler declared the regular meeting recessed for a meeting of the Countryside Sanitary District.

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RECESS.

At 3:17 p.m., Chairman Chandler declared the regular meeting recessed for a meeting of the Lilly Subdivision Sanitary District.

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RECESS.

At 3:17 p.m., Chairman Chandler declared the regular meeting recessed for a meeting of the Penn Laird Sewer Authority.

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RECESS.

At 3:18 p.m., Chairman Chandler declared the regular meeting recessed for a meeting of the Smith Creek Water and Waste Authority.

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TRANSPORTATION DEPARTMENT.

At 3:18 p.m., Chairman Chandler reconvened the regular meeting of the Board to hear Mr. Komara’s report on the activities of the Transportation Department.

Mr. Komara provided the following updates:

- The Lee Highway/South Valley Pike (Route 11) bridge replacement is on target for completion by the summer of 2017;
- Plecker Construction Company was awarded the bid for the Airport Road (Route 727) bridge project in the amount of \$498, 177.45. Work will begin in the spring of 2017;
- The Ottobine Road (Route 257) bridge bids will be received in January of 2017;
- Bids will go out soon for the Grottoes sidewalk project. Work will begin during the summer of 2017;
- The Transportation Board will send out recommended funding scenarios for Smart Scale Project applications after their meeting on January 18 and 19;
- A meeting will be scheduled regarding improvements to Veters Road (Route 790); and,
- Recent maintenance activities include snow removal, brush cutting, rural rustic roadwork, and tree cutting.

Mr. Komara noted that VDOT staff recently represented the Valley well by assisting with snow removal efforts in Norfolk, Hampton Roads, and Virginia Beach.

On behalf of Chairman Chandler, on motion by Supervisor Kyger, 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:

Madison Village (Rachel Drive – Rt. 1218, Jillian Lane – Rt. 1220, & Christopher Place – Rt. 1221) – STREET ADDITION

The Board of Supervisors of Rockingham County, in regular meeting on the 11th day of January 2017 adopted the following:

RESOLUTION

WHEREAS, the street described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk’s Office of the Circuit Court of Rockingham County, and

WHEREAS, the Area Land Use Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

WHEREAS, the County and the developer have entered into an agreement for comprehensive storm water detention as per the code of Ordinances, Sec. 6C-34, adopted May 28, 2008 which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED, the county agrees that VDOT has no maintenance, upkeep and/or repair responsibility or liability for such storm water detention facilities except in the case of physical damage resulting from road construction projects administered by VDOT. This agreement does not relieve the parties thereto of their rights and obligations pursuant to Storm water Management Regulations VR215-02-00 et. seq. and related state regulations as amended or modified from time to time. Further, the County agrees not to hold VDOT liable for damages resulting from the County’s failure to enforce County ordinances and regulations relating to storm water flow.

BE IT FURTHER RESOLVED, the County will not seek indemnification or contribution from VDOT to correct damages arising from improper maintenance or construction of storm water detention facilities.

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department’s Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, with necessary easements for cuts, fills and drainage as recorded in Plat Book V-4561, Page 331, recorded, 28th of April 2015, and in Plat Book V-3078, Page 210, recorded, 11th of April 2007, and

BE IT FURTHER RESOLVED, that the Virginia Department of Transportation will only maintain those facilities located within the dedicated right-of-way. All other facilities outside of the right-of-way will be the responsibility of others.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Area Land Use Engineer for the Virginia Department of Transportation.

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COUNTY ATTORNEY’S STAFF REPORT.

Mr. Miller provided a memo to the Board regarding a personal property tax exemption request by Way-to-Go, a non-profit organization providing transportation services to low income families.

After a review with the Commissioner of Revenue, Mr. Miller noted that the organization is eligible for tax exemption under Virginia State Code; however, he pointed out it is the Board’s decision whether or not to grant the request.

Administrator King added that Way-to-Go has virtually no administrative costs and is predominately volunteer based. Through his own personal experience, Administrator King described Way-to-Go as a reputable organization.

Mr. Miller indicated the request will be forwarded to the Finance Committee for consideration before the January 25, 2017, Board of Supervisors Meeting.

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COUNTY ADMINISTRATOR’S STAFF REPORT.

Administrator King highlighted several items in his staff report including a 2017 calendar of events, proposed Fire and Rescue compensation information regarding 24-hour shifts, and the 2017 proposed holiday calendar.

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ASSISTANT COUNTY ADMINISTRATOR.

Assistant Administrator Anas reported that staff will attend the Agri-business Annual Legislative Banquet on January 12 and the Virginia Economic Development Partnership Legislative Day on January 16.

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FINANCE DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Davidson’s staff report dated January 11, 2017.

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HUMAN RESOURCES DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Mongold’s staff report dated January 11, 2017.

Mrs. Mongold reminded staff of the upcoming adjustment to the County’s payroll schedule. She explained that the schedule is being adjusted to allow adequate time for staff to calculate and process biweekly payroll checks and for timesheets to be submitted after the end of a pay period, instead of the current practice of forecasting time to be worked. This transition will result in a one-time, three-week gap between March paychecks for all County employees, employees of Constitutional Officers, Social Services, and the Shenandoah Valley Soil and Water Conservation District.

Mrs. Mongold emphasized that employees will receive their normal amount of pay. The issue date of paychecks is the only change. With the payroll schedule adjustment, employees will receive two paychecks in March and three paychecks in June.

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PUBLIC WORKS DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mr. Hertzler’s staff report dated January 11, 2017.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's staff report dated January 11, 2017.

Mr. Armstrong brought attention to the updated list of National Coach improvements made during November and December in his staff report. He said improvements are ongoing.

He also extended appreciation to the Finance and Technology Departments for the capability for Community Development to accept credit card payments.

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REZONING REMOVED FROM THE TABLE.

On motion by Supervisor Breeden, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board removed from the table REZ16-287, The Broadway Group, 216 Westside Sq., Huntsville, AL, 35801, to rezone TM# 142A1-(A)- L28, 29, 30 totaling 1.77 acres from Medium Density Residential (R-2) to General Business (B-1). Property is located east of Judy Lane (Route 647) and south of Spotswood Trail (Route 33). The Comprehensive Plan identifies the area as Village Core, Election District 5.

Supervisor Breeden reported that staff received information from the Broadway Group, satisfying concerns regarding the appearance of a proposed building.

On motion by Supervisor Breeden, seconded by Supervisor Eberly, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board, subject to the attached proffers, approved REZ16-287, The Broadway Group, 216 Westside Sq., Huntsville, AL, 35801, to rezone TM# 142A1-(A)- L28, 29, 30 totaling 1.77 acres from Medium Density Residential (R-2) to General Business (B-1). Property is located east of Judy Lane (Route 647) and south of Spotswood Trail (Route 33). The Comprehensive Plan identifies the area as Village Core, Election District 5.

(Proffers are attached to and made a part of these minutes)

Chairman Chandler reminded staff to review the Smart Scale projects outlined in the Community Development staff report.

Administrator King noted that the County received a letter from the American Planning Association Virginia Chapter complimentary of Senior Planner James May. Administrator King attributed the letter to Senior Planner May's professionalism and hard work and acknowledged Director of Planning Rhonda Cooper for setting a good example.

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TECHNOLOGY DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Perry's staff report dated January 2017.

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FIRE AND RESCUE CHIEF’S STAFF REPORT.

The Board received and reviewed Chief Holloway’s staff report dated January 2017.

Chief Holloway provided several updates to the Board. He noted that a second ambulance will be staffed in Broadway, a second EMS unit will be added to the East Rockingham Emergency Response Station, and three on-call responders will be added at the Bridgewater Station. Chief Holloway reported that these additions are a result of the SAFER grant and/or from relocating existing staff members.

He notified Supervisor Breeden that he will attend a meeting this week with the County Building Official and the owner of the building in downtown Elkton that recently burned, to address safety concerns. Supervisor Breeden pointed out that the Elkton Town Council was very complementary of the services provided by the County’s first responders during and after the fire.

In regards to a proposed compensation adjustment for fire and rescue employees working 24-hour shifts, Chief Holloway explained the challenge in finding personnel to fill those shifts. Not only are 24-hour shifts rough on personnel, it also affects the families of those willing to work 24-hour shifts, he said. Any consideration given will be greatly appreciated.

Supervisor Kyger extended appreciation to Chief Holloway and his staff for the outstanding job they do on a daily basis and most recently for their response to several emergencies over the holidays resulting in fatalities.

Supervisor Chandler and Chief Holloway commended the Elkton Area United Services for the outstanding services they provide to the community and the professional manner in which they provide those services.

Administrator King invited the Board to tour Three Springs and East Rockingham Emergency Response Station before the January 25 Board meeting. The new filtration system is up and running at Three Springs and improvements are complete at the East Rockingham Emergency Response Station.

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PARKS & RECREATION DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. McQuain’s staff report dated January 2017.

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COURT SERVICES DIRECTOR’S STAFF REPORT.

The board received and reviewed Mrs. Freeman’s staff report dated January 11, 2017.

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COMMITTEE REPORTS.

The Board heard committee reports from Board members and staff.

COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)

Supervisor Kyger said the next CCJB meeting will be January 30, 2017, at 4:00 p.m.

FINANCE

On behalf of the Finance Committee, on motion by Supervisor Breeden, seconded by Supervisor Kyger, 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 FY2016-2017 supplemental appropriations:

Harrisonburg-Rockingham Social Services District

1. Refugee Cash Assistance

A supplemental appropriation in the amount of \$29,528 for the Refugee Cash Assistance program. Federal funding will be provided with no local funding required.

Supplemental Appropriation: \$29,528
 \$29,528 GL Code: 1220-05302-10200-000-505715-000 Refugee Resettlement – City
 8
 \$29,528 GL Code: 1220-00000-13303-000-338983-000 Public Assistance-Federal
 8

2. AFDC Foster Cares

A supplemental appropriation in the amount of \$300,500 for the AFDC Foster Cares grant. Funding will be provided 50% by Federal and 50% by State funds with no local funding required.

Supplemental Appropriation: \$300,500
 \$300,500 GL Code: 1220-05302-10100-000-505705-000 Aid to Dependent Children –
 0 County
 \$150,250 GL Code: 1220-00000-12401-000-324983-000 Public Assistance-State
 0
 \$150,250 GL Code: 1220-00000-13303-000-338983-000 Public Assistance-Federal
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3. Adoption Subsidies

A supplemental appropriation in the amount of \$114,836 for adoption subsidies. Funding will be provided 50% by Federal and 50% by State funds with no local funding required.

Supplemental Appropriation: \$114,836
 \$112,788 GL Code: 1220-05302-10100-000-505721-000 Adoption Subsidy Payments -
 8 County
 \$2,048 GL Code: 1220-05302-10200-000-505721-000 Adoption Subsidy Payments - City
 \$57,418 GL Code: 1220-00000-12401-000-324983-000 Public Assistance-State
 \$57,418 GL Code: 1220-00000-13303-000-338983-000 Public Assistance-Federal

4. Fostering Futures

A supplemental appropriation in the amount of \$7,000 for fostering futures. Funding will be provided 50% by Federal and 50% by State funds with no local funding required.

Supplemental Appropriation: \$7,000
 \$7,000 GL Code: 1220-05302-10100-000-505731-000 Fostering Futures - County
 \$3,500 GL Code: 1220-00000-12401-000-324983-000 Public Assistance-State
 \$3,500 GL Code: 1220-00000-13303-000-338983-000 Public Assistance-Federal

5. Family Preservation

A supplemental appropriation in the amount of \$2,837 for family preservation. Funding will be provided 84% Federal, 0.5% State and 15.5% Local funds.

Supplemental Appropriation: \$2,837
 \$2,837 GL Code: 1220-05302-10100-000-505723-000 Family Preservation
 (\$440) GL Code: 1220-05302-10100-000-505702-000 AUX Grants – Aged
 \$14 GL Code: 1220-00000-12401-000-324983-000 Public Assistance-State

\$2,383 GL Code: 1220-00000-13303-000-338983-000 Public Assistance-Federal

On behalf of the Finance Committee, on motion by Supervisor Breeden, seconded by Supervisor Kyger, 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 FY2016-2017 transfer:

Transfer

Soil & Water Conservation District – Rockingham County Septic Assistance Program

On January 27, 2016, the Board committed \$40,000 over a two-year period to provide funding for the Rockingham County Septic Assistance Program. The program provides financial assistance for County residents to make septic system repairs, replacements and installations. The first half of the grant is to be paid in the amount of \$20,000.

Transfer: \$20,000

(\$20,000) GL Code: 1001-09110-00000-000-505800-000 Contingencies
\$20,000 GL Code: 1001-08203-00000-000-503800-000 Soil & Water Conservation

In response to questions from Supervisor Breeden and Supervisor Eberly, Mrs. Davison indicated she will request information from the Soil & Conservation District that details how the money is spent, who is eligible for the assistance, and how applicants are selected.

METROPOLITAN PLANNING ORGANIZATION (MPO)

Chairman Chandler reported that the next MPO meeting is scheduled for January 19, to review the long-range transportation plan.

SOCIAL SERVICES

Supervisor Breeden pointed out that Social Services Director Driver will retire on February 28, 2017. He noted that there are several upcoming events to honor Director Driver and encouraged staff to attend.

VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Chairman Kyger reminded staff of the Rural Caucus in Richmond on February 1 and Legislative Day for Local Governments on February 2. Administrator King pointed out that County Attorney Miller and Finance Director Davidson will attend Legislative Day.

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CLOSED MEETING.

On motion by Supervisor Kyger, 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 recessed the meeting from 4:03 p.m. to 4:25 p.m., for a closed meeting pursuant to 2.2-3711. A (5), Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

MOTION: SUPERVISOR BREEDEN
SECOND: SUPERVISOR EBERLY

RESOLUTION NO: 17-01
MEETING DATE: JANUARY 11, 2017

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:

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PUBLIC HEARING - SPECIAL-USE PERMIT.

At 6:02 p.m., Chairman Chandler opened the public hearing and Mr. Getz reviewed the following special-use requests:

SUP16-317 Calvin & Elaine Nolt, 8050 Frank Lane Road, Singers Glen 22850 for a farm market on property located on the northwest side of Harpine Highway (Route 42) and Cromer Road (Route 765), Election District #2, Zoned A-2, Tax Map #79-(A)-19. Property Address: 3800 Harpine Highway

The applicants were present.

No one spoke in opposition to the request.

SUP16-330 Shannon Dale Click, 7100 Community Center Road, Dayton 22821 for a motor vehicle repair shop on property located on the north side of Curry Drive approximately 490' west of Community Center Road, Election District #4, zoned A-2. Tax Map #103-(3)-E1. Property Address: 7098 Curry Drive.

The applicant was in Afghanistan and could not attend; however, his father was present on his behalf.

Ronny Con spoke in favor of the request. He has known Mr. Click for ten years and stated that Mr. Click is an honest, reputable mechanic.

There was discussion regarding the proposed entrance onto Curry Drive. Neighbors had previously expressed concern that Curry Drive was not appropriate or safe, especially since a right-of-way already exists on Community Center Road. After further discussion between Mr. Click and Supervisor Kyger, it was agreed to modify the existing right-of-way to move traffic away from Curry Drive. Supervisor Kyger pointed out that Mr. Click could still use Curry Drive to access his personal residence.

No one spoke in opposition to the request.

Chairman Chandler closed the public hearing at 6:15p.m.

In regards to SUP16-317, Supervisor Eberly stated that the request is appropriate and motioned for approval.

Seconded by Supervisor Kyger, 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 SUP16-317 Calvin & Elaine Nolt, 8050 Frank Lane Road, Singers Glen 22850 for a farm market on property located on the northwest side of Harpine Highway (Route 42) and Cromer Road (Route 765), Election District #2, Zoned A-2, Tax Map #79-(A)-19. Property Address: 3800 Harpine Highway.

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 the applicant obtaining a sewage disposal system and water supply from the Health Department. A copy of said permits shall be submitted to the Community Development Department prior to issuance of a building permit. Well and septic shall be installed and approved by the Health Department prior to issuance of a certificate of occupancy.
4. All other Health Department requirements shall be met
5. As required by VDOT, a full commercial entrance shall be constructed on Cromer Road with a sight line easement across the parcel opposite of Cromer Road. All VDOT requirements regarding the commercial entrance shall be met. This business shall be given a Cromer Road address.
6. Entrance permit shall be obtained from VDOT and submitted to the Community Development Department prior to issuance of building permits and entrance shall be installed and approved by VDOT prior to issuance of a certificate of occupancy
7. 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.
8. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.
9. There shall be no off-premise signs permitted unless all County and State regulations are met.
10. Parking shall comply with the Rockingham County Code.
11. There shall be no parking on State right-of-way.
12. The business shall not begin operation until a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

Supervisor Kyger indicated his intent to table SUP16-330. He said once the details of the new entrance are complete, the request will be removed from the table for a favorable consideration.

County Attorney Miller noted that there will be no public hearing or comment period when the special-use request is removed from the table.

On motion by Supervisor Kyger, 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 tabled, SUP16-330 Shannon Dale Click, 7100 Community Center Road, Dayton 22821 for a motor vehicle repair shop on property located on the north side of Curry Drive approximately 490' west of Community Center Road, Election District #4, zoned A-2. Tax Map #103-(3)-E1. Property Address: 7098 Curry Drive.

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Supervisor Kyger and Board members recognized Delegate Glenn R. Davis and thanked him for his public service and for attending the meeting.

ADJOURNMENT.

Chairman Chandler declared the meeting adjourned at 6:19 p.m.

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Chairman