

February 24, 2016

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, February 24, 2016 at 6:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

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

WILLIAM B. KYGER, JR., Election District #4 was absent

Also present:

BRYAN F. HUTCHESON, Sheriff

JOSEPH S. PAXTON, County Administrator
THOMAS H. MILLER, JR., County Attorney
STEPHEN G. KING, Deputy County Administrator
GEORGE K. ANAS, II, Assistant County Administrator
CASEY B. ARMSTRONG, Director of Community Development
PATRICIA D. DAVIDSON, Director of Finance
BARRY E. HERTZLER, Director of Public Works
KATHARINE S. McQUAIN, Director of Parks and Recreation
RHONDA H. COOPER, Director of Planning
DIANA C. STULTZ, Zoning Administrator
KELLY S. GETZ, Code Compliance Officer
JAMES B. MAY, Senior Planner
TAMELA S. GRAY, Deputy Clerk
DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation

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

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

Supervisor Eberly gave the Invocation and County Attorney Miller led the Pledge of Allegiance.

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WELCOME.

Vice Chairman Chandler welcomed Katie Caler, a WHSV TV-3 newscaster who will cover the Board meetings.

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APPROVAL OF MINUTES.

On motion by Supervisor Eberly seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE;

CUEVAS – AYE; EBERLY – AYE; KYGER – ABSENT; the Board approved the minutes of the regular meeting of February 10, 2016.

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FREE RANGING POULTRY PRESENTATION.

Don Hopson, DVM, Regional State Veterinary Supervisor, Virginia Department of Agricultural and Consumer Services, Office of Veterinary Services, provided a presentation regarding free ranging poultry.

Dr. Hopson’s extensive report highlighted events that occurred in the United States in the last year involving the commercial poultry industry and free-range poultry.

(A copy of Dr. Hopson’s presentation entitled “2014-15 High Path Avian Influenza and Backyard Poultry” is included in the “Attachments – Board of Supervisors Minutes” notebook maintained in Administration).

Supervisor Cuevas indicated preventing Avian Influenza (AI) is a big challenge in the County since Rockingham is the primary poultry county in Virginia. He does not think citizens understand the impact a few birds with AI can have on other poultry farms, farmers and the local economy. He said it takes a long time to overcome export challenges .

Supervisor Cuevas confirmed with Dr. Hopson that cool, moist weather can affect the spread of Avian Influenza and hot temperatures aid in slowing down the virus.

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TRANSPORTATION DEPARTMENT.

The Board heard Mr. Komara's report on the activities of the Transportation Department. He indicated surveying and work preparation began on the installation of turn lanes at the intersection of East Side Highway (Route 340) and Port Republic Road (Route 253). The flashing signs were taken down to widen the road. He is unsure of the plan for the signs, but he will request that they be replaced.

Mr. Komara reported that trees along Longbow Road (Route 684) were cut to open up the road for the project that is moving along.

With recent rain, snow and frozen ground, VDOT has had drainage concerns. Mr. Komara said gravel-stabilized roads have been greatly affected by the inclement weather. VDOT is laying and dragging gravel across the roads since they cannot be graded until April or May. Other maintenance items include patching potholes on hard surface roads, working on shoulders, drainage issues, ditching and boom axing.

Supervisor Eberly asked that VDOT conduct a traffic count on Potter John Lane (Route 915).

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PARKS & RECREATION DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. McQuain’s staff report dated February 2016 . The Broadway Little League, that operates the “Strike Zone” in the basement of the Plains District Community Center, requested permission to charge outside individuals and groups to use the “Strike Zone”.

Administrator Paxton indicated he, Supervisor Cuevas, Mrs. McQuain, and Bart Bridges met with two Broadway Little League Board of Directors and were impressed with

their level of organization and efforts to utilize the facility efficiently. The league would like to allow outside individuals and groups to use all the equipment in the "Strike Zone". Since their membership paid for the equipment installed in the "Strike Zone", a nominal fee will help offset expenses for equipment wear and tear.

Supervisor Cuevas said he was impressed with the league's ability to manage 42 little league groups.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER – AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; the Board approved the Broadway Little League charging outside individuals and groups to use the "Strike Zone" they operate at the Plains District Community Center, and authorized the Director of Parks and Recreation to notify them of the approval.

Mrs. McQuain reported that the Bergton Book Station Board of Directors requested approval to reduce their meetings from four times a year to three times a year. The current bylaws indicate the Board shall meet on the first Wednesday of January, April, July and October. They would like to meet on the first Wednesday of January, May and September.

Supervisor Cuevas said the Directors probably needed to meet more frequently initially but the Bergton Book Station is running smoothly.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER – AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; the Board authorized the Bergton Book Station Board of Directors to amend Section 9 of their bylaws to change the number of meetings to three a year, and meet on the first Wednesday of January, May and September.

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COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Administrator Paxton's staff report dated February 18, 2016.

Administrator Paxton reported the School Liaison Committee met earlier in the year to discuss the school capital projects program, and the School Board approved the capital projects at their last meeting. On January 13, 2016, the Board authorized a supplemental appropriation of up to \$250,000 for engineering and design for the first three school projects: John Wayland Elementary (\$100,000), Pleasant Valley Elementary (\$75,000), and Dayton Learning Center (\$75,000). There was an additional \$50,000 for the feasibility study. He asked the Board to adopt a Resolution to Declare an Intent to Reimburse, which is a financing technical resolution that allows the County to spend money prior to issuing bonds and later issue bonds to cover the cost.

On behalf of the Finance Committee, on motion by Supervisor Cuevas seconded by Supervisor Eberly and carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – ABSENT; the Board authorized the projects listed as part of Phase 1 of the school building program and approved the following resolution declaring its intent to reimburse those costs through the issuance of bonds using the Virginia Public School Authority (VPSA) and directed the County Administrator and Director of Finance to take the necessary steps to initiate those projects:

RESOLUTION TO DECLARE AN INTENT TO REIMBURSE

WHEREAS, the Board of Supervisors of Rockingham County, Virginia (the “County”), upon mature consideration, has determined that it is essential for the County to acquire, construct, reconstruct, expand, and equip capital projects for school purposes in the County, including but not limited to the Dayton Learning Center or its replacement, John Wayland Elementary School, and Pleasant Valley Elementary School, and payment of architect and engineering fees and other preliminary costs and costs of issuance in connection with such undertakings by the County (all capital projects for such purposes in the County being referenced herein as the “Project”); and

WHEREAS, the School Board of Rockingham County, Virginia (the “School Board”), upon mature consideration, has determined that a vital need exists for the Project; and

WHEREAS, the County reasonably anticipates to obtain long-term financing of all or any portion of the costs of the Project through the County’s participation in the pooled bond program offered from time to time by Virginia Public School Authority (“VPSA”), or other tax-exempt financing(s) as may be necessary or convenient, in one or more financings, and accordingly, the County shall comply with the provisions of the Internal Revenue Code of 1986, as amended, so that interest on any bonds issued by VPSA, the proceeds of which are used to fund such loan to the County (the “Loan”), will remain excludible from gross income for Federal income tax purposes in accordance with law; and

WHEREAS, the County now desires to declare its intent to use all or any portion of the proceeds of one or more tax-exempt obligations to be issued, in one or more series, to reimburse certain expenditures in connection with the Project, among other things, all as required by Federal tax laws, including Treasury Regulations § 1.150-2 in the Internal Revenue Code of 1986, as amended, all as further described below.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, as follows:

1. The County and/or the School Board has paid/has caused to be paid, beginning no earlier than 60 days prior to adoption hereof and will pay/will cause to be paid, on and after the date hereof, certain expenditures (the “Expenditures”) in connection with the Project. Further, it has been determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Project-related Expenditures are available only for a temporary period and it is necessary to reimburse the County and/or the School Board for the Expenditures from the proceeds of such Loan as described above (or otherwise from one or more issues of tax-exempt bonds). Accordingly, the County hereby declares its intent and reasonable expectations to reimburse the County with all or any portion of the proceeds thereof for the Expenditures with respect to the Project made no earlier than 60 days prior to the adoption hereof. The County reasonably expects on the date hereof that it will reimburse the Expenditures with all or any portion of the proceeds of such Loan from VPSA.
2. The maximum aggregate principal amount of bond(s) to be issued by the County in one or more series (to VPSA, as described above, or other tax-exempt financing(s) as may be necessary or convenient) in connection with the Project, as described above, is reasonably anticipated to be approximately \$25,000,000.
3. The County or the School Board, as the case may be, will make a reimbursement allocation, which is a written allocation that evidences the use of proceeds thereof to reimburse the Expenditures, no later than 18 months after the later of the date on which the Expenditure(s) is/are paid or the Project is placed in service or abandoned, but in no event more than

three (3) years after the date on which the Expenditure(s) is/are paid. This declaration of intent to reimburse, as required by Treasury Regulations Section 1.150-2 and Federal tax laws, shall take effect immediately.

ADOPTED: February 24, 2016

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COUNTY ATTORNEY'S STAFF REPORT.

Mr. Miller did not have a written report but announced he will litigate the motor cross appeal case in Shenandoah County Circuit Court on February 25, 2016.

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Hertzler's staff report dated February 24, 2016.

Mr. Hertzler reported the County's 2015 Recycling Rate Report was submitted to the Virginia Department of Environmental Quality. He expressed appreciation to Linda Zirkle and her staff for achieving a 28 percent recycling rate, and noted the mandated recycling rate is 15 percent.

Mr. King indicated some local industries contributed to that achievement through their recycling efforts.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's staff report dated February 24, 2016.

Mr. May introduced Jemima Osei-Hwedie, an intern who is majoring in geography and economics at James Madison University. Jemima will be working through the spring semester to assist with large projects in Community Development.

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PUBLIC HEARING – REZONING REQUEST.

At 7:01 p.m., Vice Chairman Chandler opened the public hearing regarding the following rezoning request and Mr. May reviewed the background information:

- REZ15-338 Robert S. Fulk, 14131 Brocks Gap Road, Fulks Run, VA 22830, to amend the proffered conditions on TM# 36-(A)- L140, located north of Brocks Gap Road (Route 259) and approximately 0.1 mile east of Little Dry River Road (Route 818), totaling 2.034 acres, currently zoned General Industrial District Conditional (I-1C). The Comprehensive Plan identifies this area as Agricultural Reserve. It is located in Election District 1.

On February 2, 2016, by a vote of 5-0, the Planning Commission recommended approval, stating this amendment supports the goals of the Comprehensive Plan.

The applicant was present and available to answer questions.

No one spoke regarding the request.

At 7:05 p.m., Vice Chairman Chandler closed the public hearing.

Supervisor Cuevas questioned whether the proffers only cover a post office or also include a small business. He noted there are small stores and beauty shops in the area near the proposed post office. Since the site is a possible location the post office is considering, he prefers not to limit the use to a post office if a like use could be accommodated.

Mr. May read the proffers and indicated all the items listed were permitted previously, except mail services. Mail services is not limited to a Federal Post Office but can accommodate another type of mail service such as Mail Boxes, Etc., under the discretion of the Zoning Administrator.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; subject to the following proffers, the Board approved REZ15-338, Robert S. Fulk, 14131 Brocks Gap Road, Fulks Run, VA 22830, to amend the proffered conditions on TM# 36-(A)- L140, located north of Brocks Gap Road (Route 259) and approximately 0.1 mile east of Little Dry River Road (Route 818), totaling 2.034 acres, currently zoned General Industrial District Conditional (I-1C). The Comprehensive Plan identifies this area as Agricultural Reserve. It is located in Election District 1.

Proffers:

1. Retail use not otherwise listed
2. Mail services
3. Warehouse
4. Contractor's operation
5. Industry, light
6. Motor vehicle repair shop
7. Sawmill or lumber mill

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PUBLIC HEARING – ORDINANCE AMENDMENTS.

At 7:09 p.m., Vice Chairman Chandler opened the ordinance public hearing and Ms. Stultz reviewed the following proposed agricultural ordinance amendments:

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| OA15-322 | Amendment to the Rockingham County Code, Chapter 17 (Zoning), Article 2 (Definition of Terms) to add a definition for agriculture-related business, not otherwise listed. |
| OA15-323 | Amendment to the Rockingham County Code, Chapter 17 (Zoning), Table 17-606 (Land Use and Zoning Table) to allow agriculture-related business, not otherwise listed as a special use permit with supplemental standards (SU*) in the A1, A2, and RV zoning districts. |
| OA15-324 | Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-607 (Supplemental Standards for Certain Land Uses) to set standards for agriculture-related business, not otherwise listed. |

Ms. Stultz noted the ordinances were requested because citizens want small businesses such as fencing companies or other agricultural businesses not listed. She indicated that in developing the supplemental standards, the total building area was determined by looking at businesses under other ordinances that would be like uses.

When the proposed ordinance amendments were presented to the Planning Commission on January 5, 2016, the amendment did not accommodate outside storage. The Planning Commission suggested a business selling fences or another product might need limited outdoor storage space. When staff asked the citizens who requested the ordinance how much storage space they would need, a half-acre was recommended.

On February 2, 2016, the Planning Commission recommended approval of the three proposed agriculture-related business ordinance amendments on a 5 to 0 vote.

No one spoke regarding the three proposed agricultural ordinance amendments.

At 7:13 p.m., Vice Chairman Chandler closed the public hearing to vote on the proposed ordinance amendments.

On motion by Supervisor Breeden seconded by Supervisor Cuevas and carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; the Board approved the following ordinance amendments:

**ORDINANCE
ADDING NEW DEFINITIONS IN
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 definitions (in alphabetical order):

Agriculture-related business, not otherwise listed. A small-scale business selling agricultural supplies, such as agricultural fencing, nails, bolts, and hand tools, in direct support of the local agricultural community.

This ordinance shall be effective from the 24th day of February, 2016.

**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 Agriculture-related business, not otherwise listed (listed under Retail Uses) as a special use (SU*) in the A-1, A-2 and RV zoning districts.

This ordinance shall be effective from the 24th day of February, 2016.

**ORDINANCE
ADDING A NEW LAND USE TO
SECTION 17-607, SUPPLEMENTAL STANDARDS
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

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

That the following new land use be added, alphabetically, to Section 17-607. Supplemental standards for certain land uses:

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

Agriculture-related business, not otherwise listed.

- (a) Total building area for any business shall not exceed 2,500 square feet.
- (b) Outside storage shall be limited to no more than one-half (1/2) acre and shall meet the requirements of Section 17-705. Outdoor Commercial Storage.
- (c) There shall be no lighted signs.

This ordinance shall be effective from the 24th day of February, 2016.

At 7:14 p.m., Vice Chairman Chandler re-opened the ordinance public hearing.

Ms. Stultz explained that, in September 2015, Dominion Virginia Power applied for an ordinance amendment to allow solar facilities in the County. On October 14, 2015, the Board authorized staff to form a solar energy committee comprised of members who deal with solar energy and people who have served on other committees, to develop a solar energy facility ordinance. The committee consisted of representatives from Dominion Virginia Power, Shenandoah Valley Electric Cooperative, McBride Energy, other energy companies, James Madison University, and Eastern Mennonite University, as well as private citizens and County staff. The committee drafted an ordinance that they distributed for review and revised based on comments received. Ms. Stultz thanked the people who served on the committee for their hard work in developing the ordinance.

Ms. Stultz reviewed the following proposed solar energy ordinance amendments:

- OA16-007 Amendment to the Rockingham County Code, Chapter 17 (Zoning), Article II. Definition of Terms, Section 17-201. Definitions generally to add the definition of Solar energy facility, large and the definition of Solar energy facility, small.
- OA16-008 Amendment to the Rockingham County Code, Chapter 17 (Zoning), Table 17-606 (Land Use and Zoning Table) to allow Solar energy facility, large by permitted use with supplemental standards (P*) in the I-1, I-2, PID, PMR, MXU, PCD, R-4, R-5, and S-1 zoning districts and by special use permit with supplemental standards (SU*) in the A-1, A-2, RV, PG, RR-1, B-1, and B-2 zoning districts. This amendment would also allow Solar energy, small by permitted right with supplemental standards (P*) in all zoning districts.
- OA16-009 Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-607, Supplemental Standards for Certain Land Uses to add supplemental standards for Solar energy facility, large, and for Solar energy facility, small.

Ms. Stultz pointed out that a large solar energy facility would occupy one-half acre or more of total land area. A small solar energy facility would occupy less than one-half acre. She noted many of the standards are the same whether for a ground-mounted or roof-mounted system for a large solar energy facility or small solar energy facility.

Ms. Stultz also reviewed the fee schedule for solar energy facilities, under subsection 2-44, Planning, Subdivision, and Zoning Fees, as authorized by Code of Virginia Section 15.2-2286.A.6. The ordinance was advertised to be amended by adding new application fees for Large Solar Energy Facilities requiring a special use permit (\$2,000 + any consultant fees), and Small Solar Energy Facilities (\$200).

Staff further discussed the fees and recommended that the fee for a large solar energy facility be \$550, which is the same fee charged for any special use application, plus any consultant fees, will be paid by the applicant. If a large solar energy facility does not require a special use permit, the applicant would be responsible for any consultant fees.

For a small solar energy facility, the only fee would be when a consultant is needed, in which case the applicant will pay the consultant fee.

Supervisor Breeden confirmed a small solar energy facility permitted by right would not require a fee unless a consultant is required. Ms. Stultz indicated that a consultant would probably only be necessary if the applicant wants to stay just under a half acre to eliminate a special use permit. Large facilities permitted by right would pay the consultant's fee, if a consultant is necessary. Any facility requiring a special use permit will pay the special use permit fee and any consultant fee.

After advertising the public hearing, staff decided to recommend no application fee for a small solar energy facility. If the property is under a half acre, therefore a small energy facility, the owner will only be charged a consultant fee if the County requires one to review the building permit.

Supervisor Cuevas asked about setback surveying requirements. Ms. Stultz indicated solar energy facilities have to meet the same setback requirements as a main structure on the property. She further explained that the only time the facility will not have to meet the setback requirement is when two adjoining property owners install a solar array together. It is not required that properties be surveyed, but the solar energy facility cannot encroach on any easements.

In response to a question from Supervisor Cuevas regarding safety issues in securing the panels, Ms. Stultz noted the solar facility would have to meet all building code requirements for installation.

Vice Chairman Chandler confirmed that small solar energy facilities, those used for residential use, will be required to have a building permit fee, but there will not be a separate fee from a zoning standpoint.

In response to a question from Supervisor Eberly regarding a large ground-mounted system and the growth of grass and trashy weeds under it, Ms. Stultz indicated some systems may be located in parking lots and some may be located where small animals eat the grass. The County's other zoning provisions will address any unsightly trash.

Supervisor Breeden asked, "If Dominion Virginia Power partners with a landowner, is the landowner responsible for upkeep of the equipment?" Ms. Stultz responded that Dominion would be responsible for taking care of the equipment. The landowner would only become involved if the solar facility is no longer used and the equipment is not removed within 365 days. At that point, the County would remove the equipment and place a lien on the landowner's property.

In response to a question from Supervisor Cuevas regarding how staff determines whether a solar energy facility is permitted or requires a special use permit, Ms. Stultz noted a special use permit would only be required on large solar farms in agricultural,

Rural Village (RV), and business districts. Those in an industrial district are permitted, as well as facilities in the planned district because they have to be included in the master plan for the district. Staff determined there was no reason to require a special use permit for a large solar energy facility in a public service district.

Lots in agricultural, RV and business districts may be smaller with neighbors in close proximity. The neighbors have a right to speak regarding the request when the land beside them is being changed completely. A solar energy facility is less intrusive in an industrial district than truck traffic normally associated with an industrial district.

Supervisor Cuevas said solar systems have been around a while but are new to the Board. He is concerned some less known companies may not have the experience and expertise to properly design and install a solar system, so he hopes staff will assess the process and quality of the finished product. Ms. Stultz indicated the applicant will need to file a site plan whether the facility is permitted or by special use permit. She said the Board could change the ordinance to require a special use permit in the industrial district, if desired.

Supervisor Breeden hopes industrial companies pursue alternative energy. His concern is that neighbors cannot provide input regarding a large parcel of land in an industrial area. Administrator Paxton stated a solar facility is less intrusive than many industrial activities.

Ms. Stultz noted a residential district might be located next to an industrial site that has not yet been developed, and noted many undeveloped industrial sites have proffered conditions that would require the industry to request a rezoning and come before the Board to amend the proffers in order to add solar facility, large as a proffered use. Supervisor Breeden said most industrial partners already work hard to be good neighbors.

Administrator Paxton indicated many industries own large acreage zoned agricultural and, to place a solar facility on those properties, the industry would need to apply for a special use permit. He stated this only applies to land that is zoned industrial, which is relatively limited in the County.

Emmett Toms with Dominion Virginia Power expressed appreciation to County staff and the engineering firms for their work on the ordinance amendments. He informed the Board that industrial land is too valuable to use for large solar facilities. Most solar systems are placed on rooftops because valuable land is better utilized for businesses than solar panels, and ground-mounted solar systems are usually placed on unbuildable land.

Mr. Toms feels the draft ordinance is comprehensive and wants to share the ordinance with other counties where Dominion partners with industrial customers and others who want large solar systems. Dominion requested the ordinance because they entered into a long-term contract with Merck to install a solar system on unbuildable property.

Jeff Nicholson from Sigora Solar based in Waynesboro, said the County is to be commended for providing an alternative that streamlines, and removes uncertainty in, the development of a solar facility. He noted the suggested change to the fee schedule makes a lot of sense. Mr. Nicholson urged the Board to approve the proposed ordinance amendments.

George Wilson stated he attended the public hearing because of an article in the *Daily News Record* indicating the County planned to tax \$200 for a rooftop solar system and \$2,000 for a ground-mounted system. He said citizens should be encouraged to install solar systems by giving them an incentive.

Joy Loving indicated she installed a ground-mounted, small individual solar system and attended the meeting to request the Board not place a \$200 fee on residential solar systems. Ms. Loving noted that since the spring of 2014, there have been three grassroots solar co-ops in the area, and Rockingham County residents have been members of two of

the co-ops, to obtain discounts by leveraging bulk purchasing. She said County citizens are interested in solar energy and she believes the \$200 fee would have altered their decision to purchase a solar system. Ms. Loving thanked the Board for removing the fee from the ordinance and for promoting solar energy in the County.

Watt Bradshaw from Broadway is in favor of the proposed ordinance and commended the County for being a forerunner for large solar facilities. He has installed small solar systems in the County for 38 years and has had no problems with the solar panels, his customers, or the zoning department. He said charging a regular special use permit fee and a consulting fee on a case-by-case basis is the most equitable way to address this. In response to an earlier discussion regarding how well solar panels are attached, Mr. Bradshaw said the installation is part of the building inspection and the installer is required to follow the manufacturer's protocol that provides the exact torque requirements. He noted most solar systems are designed to withstand 140 mile per hour winds and one-inch balls of hail traveling at 100 miles an hour, so weather issues do not affect the durability of the systems. He hopes the County will see more solar facilities and thinks it would be better to have 400 10-kilowatt systems than one 4-megawatt system.

In response to a question from Administrator Paxton, Mr. Bradshaw responded there is a 25-year production guarantee on solar panels installed today, but they should last 40 to 50 years.

In response to a question from Supervisor Eberly, Mr. Bradshaw said solar panels slowly degrade (less than one percent per year) and then plateau. There are 45 and 50-year solar systems in use and doing well, as their durability exceeds their warranties. Mr. Bradshaw stated solar energy systems are probably the most reliable mechanical systems being installed in the County.

Steve Pence indicated he has been interested in solar systems for a while and received approval for a 45-kilowatt system. He is concerned about glare from large solar systems and agreed that numerous smaller systems make sense and will create less glare. Dr. Pence encouraged the County to evaluate whether solar panels create too much glare and the impact on neighbors. He thanked the Board for eliminating the fee for small facilities.

Supervisor Breeden confirmed that a small solar energy facility is permitted by right.

Ms. Stultz said complaints from neighbors will be investigated. If the County receives a report about a violation, staff will check on the violation and contact the solar firm or someone who deals in solar facilities to determine if it is a situation that should be corrected. If so, the county will contact the landowner to mitigate the situation. If the solar system is near an airport or public road, an ocular impact study will be performed.

Mr. Nicholson indicated his firm has conducted glare analyses near airports. Due to the way the panels are tilted, if there is any glare, most of it bounces back into the sky. He said it is rare to see glare on a horizontal plain; it may be detected when looking down on a solar energy system from a hill.

There was no opposition to the proposed solar energy ordinance amendments.

Ms. Stultz asked the solar committee members to stand and thanked them again for serving on the committee and for their hard work.

At 7:44 p.m., Vice Chairman Chandler closed the public hearing to vote on the proposed solar energy facility ordinance amendments.

Supervisor Breeden made a motion, seconded by Supervisor Cuevas, to approve the solar energy ordinance amendments.

Administrator Paxton asked that the motion include that the fee schedule is approved with the revised rates staff recommended.

Carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; the Board approved the following solar energy ordinance amendments to include the revised fee schedule:

**ORDINANCE
ADDING NEW DEFINITIONS IN
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 definitions (in alphabetical order):

Solar energy facility, large. An energy conversion system consisting of photovoltaic panels, support structures, and associated control, conversion, and transmission hardware occupying one-half acre or more of total land area. Also known as solar energy systems, solar energy arrays, or solar energy farms.

Solar energy facility, small. An energy conversion system consisting of photovoltaic panels, support structures, and associated control, conversion, and transmission hardware occupying less than one-half acre of total land area.

This ordinance shall be effective from the 24th day of February, 2016.

**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 Solar energy facility, large (listed under Industrial Uses) as a permitted use (P*) in the I-1, I-2, PID, PMR, MXU, PCD, R-4, R-5 and S-1 zoning districts.

ADD Solar energy facility, small (listed under Industrial Uses) as a permitted use (P*) in all zoning districts.

This ordinance shall be effective from the 24th day of February, 2016.

**ORDINANCE
ADDING NEW LAND USES TO
SECTION 17-607 OF THE
CODE OF ORDINANCES OF
ROCKINGHAM COUNTY, VIRGINIA**

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

The following new land uses be added, alphabetically, to Section 17-607, Supplemental standards for certain land uses:

Section 17-607. Supplemental standards for certain land Uses.

Solar energy facility, large

(a) Ground-mounted:

- (1) Solar energy facilities shall not exceed 25 feet in height when oriented at maximum tilt.
- (2) Any glare generated by the system must be mitigated or directed away from an adjoining property or from any road when it creates a nuisance or safety hazard.
- (3) An ocular-impact study must be performed for airports within five miles of the project site and for public roads within sight of the system. The analysis shall be performed using FAA Solar Glare Hazard Analysis Tool (SGHAT) to demonstrate compliance with FAA standards for measuring ocular impact.
- (4) In the zoning districts that have required setbacks, the array shall, at a minimum, meet setback requirements for primary structures **except** among and between participating landowners' parcels.
- (5) In zoning districts that have no required setbacks, the array shall be located in such a manner that it does not encroach on any adjoining property except among and between participating landowners' parcels.
- (6) Solar energy facilities shall not encroach into any easements.

(b) Roof-mounted:

- (1) Separate flush or frame-mounted solar energy facilities installed on the roof or structure shall not:
 - a. Project vertically more than one (1) foot above the peak of the sloped roof to which it is attached; or
 - b. Project vertically more than five (5) feet above a flat roof installation.
- (2) The combined height of a roof-mounted facility and the primary structure to which it is attached shall not exceed the maximum height for the zoning district in which it is located.
- (3) It shall be demonstrated that the placement of the facility shall not adversely affect safe access to the roof, pathways to specific areas of the roof, and safe egress from the roof.

- (4) Any glare generated by the system must be mitigated or directed away from adjoining property or road when it creates a nuisance or safety hazard.
 - (5) An ocular-impact study shall be performed for airports within five miles of the project site and for public roads within sight of the system. The analysis shall be performed using FAA Solar Glare Hazard Analysis Tool (SGHAT) to demonstrate compliance with FAA standards for measuring ocular impact.
- (c) Appearance:
- (1) The solar energy facility shall be maintained in the color or finish that was originally applied by the manufacturer.
 - (2) All signs, other than the manufacturer's identification, installer's identification, appropriate warning signs, or owner's identification shall be prohibited.
- (d) Removal:
- (1) At such time that a solar energy facility is scheduled to be abandoned or discontinued, the owner of the facility shall notify the County by certified U.S. mail of the expected date of abandonment or discontinuation of operations.
 - (2) Within three hundred sixty-five (365) days of the date of abandonment or discontinuation, the owner of the system shall physically remove all components of the solar energy facility. If not removed within the allotted time, the County may have it removed at the expense of the property owner.

Solar energy facility, small

- (a) Ground-mounted:
- (1) Solar energy facilities shall not exceed 25 feet in height when oriented at maximum tilt.
 - (2) Any glare generated by the system must be mitigated or directed away from an adjoining property or from any road when it creates a nuisance or safety hazard.
 - (3) In the zoning districts that have required setbacks, the array shall, at a minimum, meet setback requirements for primary structures except among and between participating landowners' parcels.
 - (4) In zoning districts that have no required setbacks, the array shall be located in such a manner that it does not encroach on any adjoining property except among and between participating landowners' parcels
 - (5) Solar energy facilities shall not encroach into any easements.
- (b) Roof-mounted:
- (1) Separate flush or frame-mounted solar energy facilities installed on the roof or structure shall not:
 - a. Project vertically more than one (1) foot above the peak of the sloped roof to which it is attached; or
 - b. Project vertically more than five (5) feet above a flat roof installation.

- (2) The combined height of a roof-mounted system and the principal structure to which it is attached shall not exceed the maximum height for the zoning district in which it is located.
 - (3) It shall be demonstrated that the placement of the system shall not adversely affect safe access to the roof, pathways to specific areas of the roof, and safe egress from the roof.
 - (4) Any glare generated by the system shall be mitigated or directed away from adjoining property or road when it creates a nuisance or safety hazard.
- (c) Appearance:
- (1) The solar energy system shall be maintained in the color or finish that was originally applied by the manufacturer.
 - (2) All signs, other than the manufacturer's identification, installer's identification, appropriate warning signs, or owner's identification shall be prohibited.
- (d) Notification:
- (1) Consumer shall notify the utility company prior to purchasing and installing the small solar energy facility.
 - (2) Installations shall require an electrical permit and inspection by County personnel.
 - (3) County personnel shall notify the utility company that the small solar energy facility has been inspected and approved.
 - (4) All installations shall comply with IEEE 1547, shall be UL Listed and shall be approved for interconnection by the local utility company. All equipment shall be UL listed for its installed purpose.
 - (5) All installations shall comply with all state regulations for small generator interconnections.

This ordinance shall be effective from the 24th day of February, 2016.

**ORDINANCE
ENACTING
SUB-SECTION 2-44 (o)
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

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

That Section 2-44 (o) is enacted as follows:

- (o) *Solar energy facilities*
- (1) Solar energy facility, large requiring a special use permit - \$550.00, plus any consultant fees.
 - (2) Solar energy facility, large permitted - any consultant fees.

(3) Solar energy facility, small - any consultant fees.

This ordinance shall be effective from the 24th day of February, 2016.

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RECESS.

At 7:45 p.m., Vice Chairman Chandler declared a short recess.

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PUBLIC HEARING – ORDINANCE AMENDMENTS, CONTINUED.

At 7:52 p.m., Vice Chairman Chandler called the meeting back to order and opened the public hearing regarding the following proposed ordinance amendment:

OA16-010 Amendment to the Rockingham County Code, Chapter 17 (Zoning), Table 17-606 Land Use and Zoning Table to add Dwelling, single-family detached with independent living quarters to the A-1, A-2, RV, PSF, PG, R-4, R-5, MH-1, MXU, and PMR zoning districts as a permitted use with supplemental standards (P*).

Ms. Stultz reviewed the proposed ordinance amendment and explained the amendment is a housekeeping item as “Dwelling, single-family detached with independent living quarters” was inadvertently omitted from some of the districts it was in prior to the zoning ordinance being revised in 2014. Approval will permit single-family detached dwellings with independent living quarters in all zoning districts that allow single-family dwellings.

No one spoke regarding the ordinance amendment.

At 7:53 p.m., Vice Chairman Chandler closed the public hearing.

On motion by Supervisor Eberly, seconded by Supervisor Cuevas and carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; the Board approved the following ordinance amendment:

**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 Dwelling, single-family detached with independent living quarters (listed under Residential Uses) as a permitted use (P*) in the A-1, A-2, RV, PSF, PG, R-4, R-5, MH-1, MXU and PMR zoning districts.

This ordinance shall be effective from the 24th day of February, 2016.

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CAPITAL IMPROVEMENTS PROGRAM.

At 7:54 p.m., Vice Chairman Chandler opened a public hearing to consider adding two road improvement projects to the Capital Improvements Program (CIP) five-year plan to guide the construction or acquisition of capital projects. A CIP is an important fiscal planning tool that helps a locality replace or repair existing major facilities or meet new capital improvement needs. A CIP is a form of short-term planning.

Mr. May indicated two road improvements need to be included in the Capital Improvements Program rapidly. He noted the entire Capital Improvements Program will be reviewed in March.

Mr. May reviewed the following road improvements for consideration: PW-17 for South Valley Pike (US 11) Road Improvements from the Harrisonburg City Limits to the intersection of Cecil Wampler Road (Route 704) and PW-18 for Spotswood Trail (US 33) Road Improvements from the intersection of Massanetta Springs Road (Route 687) to the intersection of Stone Spring Road (Route 280).

Supervisor Eberly asked whether the Spotswood Trail (Route 33) road improvement will serve as a service road, and be marked for bicycles. Mr. King responded that a third lane will be installed to be used as a turning lane, and a bicycle lane could probably be included.

Dennis Driver, a member of the Mount Crawford Town Council, indicated he was speaking as a private citizen. He is in favor of any road improvements on Route 11 and encouraged the Board to adopt the amendments to the Capital Improvements Program.

Administrator Paxton advised Mr. Driver that the Route 11 road project was submitted as a House Bill 2 (HB2) project. It was not funded but was the next project on the list to receive funding, along with the Mayland Road (Route 259) project from Wentworth Drive (Route 873) to East Lee Street (Route 259) in Broadway. Hopefully both projects, which are within the MPO, will receive funding next year.

Kim Sandum asked staff to describe the Route 11 project. Mr. King explained the four-lane portion of Route 11 in the City and four-lane portion in the County will be connected with four lanes. Therefore, Route 11 will be four lanes from Oakwood Drive (Route 704) to the Harrisonburg Travel Center to eliminate the bottleneck of four lanes merging into two lanes.

No opposition was expressed.

At 7:59 p.m., Vice Chairman Chandler closed the Capital Improvements Program public hearing.

On motion by Supervisor Breeden, seconded by Supervisor Eberly and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; the Board adopted the addition of PW-17, South Valley Pike (US 11) Road Improvements and PW-18, Spotswood Trail (Route 33) Road Improvements into the Capital Improvements Program.

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ESTABLISHMENT OF MEMORIAL PLOT FOR HEADSTONES.

At 7:59 p.m., Vice Chairman Chandler opened the public hearing regarding establishing a memorial plot for stones, appearing to be headstones, found on the property being developed by the County as a park, referred to as Albert Long Park, located on property near the intersection of Spotswood Trail (Route 33 East) and Indian Trail Road

(Route 620). The Board would like to establish a memorial plot for the stones in an appropriate place within the park.

Mr. Miller explained that during preliminary excavation work at Albert Long Park, a few stones that appear to be headstones were detected under a couple inches of dirt. The County has no firm idea if there was a graveyard on the property because some citizens report having seen grave markers leaning against a fence, appearing that they were placed there some time ago. The stones that were found by an excavator, who was cleaning a fencerow, were not observed during a walking survey of the property before the real estate was transferred to the County. Mr. Miller said various historical societies that were contacted are unaware of a graveyard on the property, and expert title work made no mention of a graveyard.

Mr. Miller indicated the reason for the public hearing was to determine if there was ever a graveyard on that parcel of land, and to inform the public the County plans to establish a memorial plot for the stones. The memorial plot will be located appropriately within the park to respect any decedents. The County will maintain the plot as part of the park, Mr. Miller said.

In response to a question from Supervisor Cuevas, Mr. Miller indicated he contacted the Court about the stones and the statute does not really apply since the County is not sure if there was a graveyard on the property.

Supervisor Cuevas encouraged Mr. Miller to petition the Court to allow the County to establish a proper fenced memorial plot in the northwest corner of the property away from heavy traffic, commercial uses, and most recreational activities in the park.

Since the site plan has not been completed, Mr. Miller suggested the Court documentation indicate the memorial plot will be located appropriately as recommended by the engineers and planners upon completion of the site plan work, rather than specify an exact location for the memorial plot.

Supervisor Cuevas explained that he suggested the northwest corner of the property to avoid traffic and public disturbance. The Spotswood Trail (Route 33) area will have a lot of traffic, development and the park entrance, and the eastern part of the property will likely to be sold for commercial use. Supervisor Cuevas reiterated he would like the County to specify where the plot will be located.

No citizens came forward to comment or indicate they know anything about the stones or a graveyard on the property.

At 8:07 p.m., Vice Chairman Chandler closed the public hearing.

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COMMITTEE REPORTS.

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

CHAMBER OF COMMERCE

Supervisor Eberly reported the Chamber meets February 25, 2016.

FINANCE

On behalf of the Finance Committee, on motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows:

BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – ABSENT; the Board approved the following:

Commonwealth's Attorney

A revised grant for the victim witness program was awarded, and the Board authorized the County Administrator to sign the revised grant in connection with a supplemental appropriation in the amount of \$10,952 for the victim witness program. A 15% increase for the period January 1 through June 30, 2016 was awarded by the Department of Criminal Justice Services. This increase will be used for personnel costs, conference costs, travel and postage. This supplemental will reallocate the funding sources for this program to match the revised grant award. No local funds are required.

Supplemental Appropriation: \$10,952

\$ 3,248	GL Code: 1001-02201-10275-000-501100-000	Full-time Salaries
\$ 3,248	GL Code: 1001-02201-10275-000-501300-000	Part-time Salaries
\$ 500	GL Code: 1001-02201-10275-000-502100-000	FICA
\$ 488	GL Code: 1001-02201-10275-000-502201-000	VRS
\$ 2,174	GL Code: 1001-02201-10275-000-505201-000	Postage
\$ 1,294	GL Code: 1001-02201-10275-000-505504-000	Professional Development
\$ 14,260	GL Code: 1001-00000-13900-000-339300-000	Victim Witness - Federal
\$ (2,914)	GL Code: 1001-00000-12404-000-324190-000	Victim Witness - State
\$ (394)	GL Code: 1001-00000-15201-000-352000-000	General Fund Reserve

On behalf of the Finance Committee, on motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – ABSENT; the Board approved the following supplemental appropriations to meet the legal commitments of the County to approve the requests:

Harrisonburg-Rockingham Social Services District

The following supplemental appropriations were approved by the Social Services Board at meetings held in February 2016 and December 2015:

1. A supplemental appropriation in the amount of \$5,000 for the County's portion of the Family Preservation program. Funding will be provided by the State. Although a local match of 15.5% is required, no additional local funds are requested, as previously appropriated Local Only Discretionary Funds will be utilized for this match.

Supplemental Appropriation: \$5,000

\$ 5,000	GL Code: 1220-05302-10100-000-505723-000	Family Preservation
\$ 5,000	GL Code: 1220-00000-12401-000-324983-000	Public Assistance

2. A supplemental appropriation in the amount of \$4,000 for four new Refugee Assistance cases for the County. Funding will be provided by the State with no local funding required.

Supplemental Appropriation: \$4,000

\$ 4,000	GL Code: 1220-05302-10100-000-505715-000	Refugee Resettlement
\$ 4,000	GL Code: 1220-00000-12401-000-324983-000	Public Assistance

3. A supplemental appropriation in the amount of \$207,000 for the County's portion of the State Adoption Subsidy. Funding will be provided by the State with no local funding required.

Supplemental Appropriation: \$207,000

\$207,000 GL Code: 1220-05302-10100-000-505735-000 Special Adoption
 \$207,000 GL Code: 1220-00000-12401-000-324983-000 Public Assistance

4. A supplemental appropriation in the amount of \$35,788 for the City's portion of the IV-E Adoption Subsidy. Funding will be provided by the State with no local funding required.

Supplemental Appropriation: \$35,788

\$ 35,788 GL Code: 1220-05302-10200-000-505735-000 Special Adoption
 \$ 35,788 GL Code: 1220-00000-12401-000-324983-000 Public Assistance

5. A supplemental appropriation in the amount of \$17,876 for the Virginia Juvenile Community Crime Control Act (VJCCCA). This supplemental will increase the budget to the full funding level which was unknown at the time of the budget projection. Funding will be provided by the State with no local funding required.

Supplemental Appropriation: \$17,876

\$ 17,876 GL Code: 1220-05337-10300-000-503109-000 Other Professional Services
 \$ 17,876 GL Code: 1220-00000-12404-000-324987-000 VJCCCA

6. A transfer in the amount of \$3,000 from the City's Refugee Assistance program to the County's program to cover expenses incurred in December 2015.

Transfer: \$3,000

\$ 3,000 GL Code: 1220-05302-10100-000-505715-000 Refugee Resettlement –
 County
 \$ (3,000) GL Code: 1220-05302-10200-000-505715-000 Refugee Resettlement – City

On behalf of the Finance Committee, on motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – ABSENT; the Board approved the following supplemental appropriations:

Commonwealth's Attorney

A supplemental appropriation in the amount \$4,800 to fund ten hours of pay per week along with associated benefits for the Domestic Violence Coordinator for the remainder of this fiscal year. Funding will be provided by the General Fund Reserve.

Supplemental Appropriation: \$4,800

\$ 3,400 GL Code: 1001-02201-00000-000-501300-000 Part-time Salaries
 \$ 300 GL Code: 1001-02201-00000-000-502100-000 FICA
 \$ 800 GL Code: 1001-02201-00000-000-502300-000 Health Insurance
 \$ 300 GL Code: 1001-02201-00000-000-502201-000 VRS
 \$ 4,800 GL Code: 1001-00000-15201-000-352000-000 General Fund Reserve

Land Use Assessment

A supplemental appropriation in the amount of \$1,910 for the purchase of two computer set-ups for the Land Use counter. This purchase will assist in completing the Land Use Revalidation process. Funding will be provided by the General Fund Reserve.

Supplemental Appropriation: \$1,910

\$ 1,910	GL Code: 1001-01224-00000-000-506065-000	Minor Equipment
\$ 1,910	GL Code: 1001-00000-15201-000-352000-000	General Fund Reserve

Fire/EMS Capital Projects

The FY16 budget includes \$550,000 for construction and renovation to develop the East Rockingham Emergency Response Station. Based on the scope of the project as currently defined and proposals received for construction, the Finance Committee recommends a supplemental appropriation of \$150,000 from the County Capital Projects Fund Balance. This additional supplemental appropriation of \$150,000 will bring the total budget for the project to \$700,000.

Supplemental Appropriation: \$150,000

\$150,000	GL Code: 1101-09401-00000-000-508378-000	East Rockingham Emergency Response Station
\$150,000	GL Code: 1101-00000-15201-000-352000-000	Capital Projects Fund Reserve

Proposals were solicited and received from the three firms prequalified under the County's Design-Build Policy for this type of project. The Finance Committee's recommendation was that the Board, following the recommendation of the proposal review committee, rank the proposals in the following order:

Harman Construction	\$656,158
Lantz Construction Company	\$673,150
Nielsen Builders Incorporated	\$1,150,420

Harman Construction's design met the committee's approval and was the lowest cost for the project. Actual costs will be finalized once project scope is fully defined with Harman.

On behalf of the Finance Committee, on motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – ABSENT; the Board approved the East Rockingham Emergency Response Station renovation supplemental appropriation and authorized staff to award the renovation project to Harman Construction at a cost of \$656,158, with the total, including furniture and fixtures, not to exceed a total project cost of \$700,000.

PUBLIC WORKS

Supervisor Cuevas reported the following landfill entrance bids were opened on February 16, 2016.

A&J Development and Excavation, Inc.	\$6,137,056
Momentum/Faulconer Excavating	\$6,358,373
Partners Excavating Company	\$6,394,000

The budget estimate for the project was \$6,500,000. Funding is expected to be provided from the Solid Waste Fund Reserves (\$2.5 million) and bonds (\$4 million) to be issued by the Virginia Resources Authority later this spring.

Staff recommended accepting the low bid of \$6,137,056 submitted by A&J Development and Excavation, Inc.

On behalf of the Public Works Committee, on motion by Supervisor Cuevas, seconded by Supervisor Eberly and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – ABSENT; the Board awarded the landfill entrance project bid to A&J Development and Excavation, Inc. for \$6,137,056.

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ADJOURNMENT.

On motion by Supervisor Eberly, seconded by Supervisor Breeden, and carried unanimously, the meeting was adjourned at 8:19 p.m.

Chairman