

March 8, 2017

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, March 8, 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  
MICHAEL A. BREEDEN, Election District #5 arrived at 6 p.m.

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

Also present:

LOWELL R. BARB, Commissioner of the Revenue  
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  
DIANA C. STULTZ, Zoning Administrator  
TAMELA S. GRAY, Deputy Clerk  
JESSICA G. KILBY, Deputy Clerk  
DONALD F. KOMARA, Residency Administrator  
Virginia Department of Transportation  
C. BURGESS LINDSEY, Assistant Residency Administrator  
Virginia Department of Transportation

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

Chairman Chandler called the meeting to order at 3:00 p.m. Supervisor Cuevas gave the Invocation and Finance Director Davidson led the Pledge of Allegiance.

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**APPROVAL OF MINUTES.**

On motion by Supervisor Eberly, seconded by Supervisor Cuevas, and carried by a vote of 3 to 0, voting recorded as follows: BREEDEN - ABSENT; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; the Board approved the minutes of the regular meeting of February 22, 2017.

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**TRANSPORTATION DEPARTMENT.**

The Board heard Mr. Komara's report on the activities of the Transportation Department including the following updates:

- The Lee Highway/South Valley Pike (Route 11) bridge replacement work is moving along well and should be complete in July of 2017;
- Plecker Construction Company will begin work on the Airport Road (Route 727) project on April 1, 2017;
- Fairfield-Echols LLC was the low bidder on the Ottobine Road (Route 257) bridge project and will begin work in May or June;
- Rural rustic improvements continue on Koontz Corner Road (Route 807), Captain Shands Road (Route 690), and Stephen Conrad Road (Route 979); and,
- Maintenance activities include brush-cutting, spot grading gravel roads, flushing pipes, and installing delineator posts on Orchard Road (Route 881).

In response to Supervisor Eberly, Mr. Komara indicated unused snow removal funds will be used toward road improvements.

Mr. Komara noted that he spoke with Sheriff Hutcheson regarding traffic concerns on Spotswood Trail (Route 33) at the entrance to Spotswood High School, and indicated staff will continue to work toward a solution.

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**BLUE RIDGE COMMUNITY COLLEGE.**

Dr. John A. Downey, President, Blue Ridge Community College (BRCC), thanked the Board for its continued support of the College and for appointing quality members to the Advisory Board. He introduced BRCC Advisory Board members Rodney Alderfer and Matthew Sunderlin.

Dr. Downey provided the Board with a packet of information highlighting the past year. In 2016, BRCC served 5,834 local students in the credit program, with 1,413 of those students from the County. Additionally, 192 County residents enrolled in noncredit, workforce and personal enrichment courses. He highlighted the story of student, Margaret Dunston, a resident of Keezletown. Margaret was one of the first BRCC students to display her artwork in the College's Fine Arts Center Galleries. Margaret's full story can be read on the College's website.

This year will mark the 50<sup>th</sup> Anniversary of the College. Dr. Downey expressed appreciation to George Anas and Michele Bridges for their work promoting economic development in the County along with the work of the Shenandoah Valley Partnership. These relationships lead to great regional economic development opportunities, he said. Additionally, he pointed out that *Colliers International* just named the Shenandoah Valley as one of the top ten emerging industrial markets to watch in 2017.

Dr. Downey pointed out that for every job in the future requiring a master's degree or higher, two jobs will require a bachelor's degree, and seven jobs will require post-secondary training or an associate's degree. Blue Ridge Community College, along with Rockingham County Public Schools and Massanutten Technical Center, are working to fill that skills gap, said Dr. Downey. We have instituted a number of initiatives designed to increase awareness of career options for local youth, as many of them will grow up, live, and pay taxes in the County, he said.

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**INTRODUCTION OF STUDENTS.**

Students from Eastern Mennonite High School introduced themselves to the Board.

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**HARRISONBURG-ROCKINGHAM EMERGENCY COMMUNICATIONS CENTER - CAD-DMS SOLUTIONS.**

James L. Junkins, Director, Harrisonburg-Rockingham Emergency Communications Center, provided an update regarding the Computer Aided Dispatch/Data Management System project. Mr. Junkins explained the importance of the CAD-DMS system, pointing out that it utilizes and retains data in all facets of public safety for the City and County. The project, which began in 2015, was implemented to address the common needs of Harrisonburg, Rockingham, and James Madison University.

Mr. Junkins discussed several of the common needs, which include regional shared access to the system and data, data security, search capability, mobile/remote access, analytics and statistical reporting, alerts and notifications, and messaging between agencies. To date, Federal Engineering was selected as the consultant, stakeholders have been identified and interviewed, needs assessments were completed, draft requirements were formulated, a visualized solution was created and initial specifications were developed. He said the goal is to issue a Request for Proposal (RFP) in May of 2017.

Additionally, Mr. Junkins noted that conversion of existing data will be a significant cost factor. The vendor selected for the update will be required to provide the data conversion to the new software. At this point, Mr. Junkins predicts an estimate of \$4.5M for the system-wide update.

Administrator King pointed out that part of this project includes the data for the jail. He recalled difficulty in the past pinpointing specific demographics in the jail when addressing inmate population. Obtaining specific demographics, characteristics, and medical information as a whole will help target specific needs, he said.

Administrator King expressed appreciation to Mr. Junkins and Chief Holloway for their expertise, dedication and passion for public safety.

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**WELCOMING AMERICA PROGRAM – FAITH IN ACTION.**

The Reverend Dr. Meriwether Anderson Sale, Sr. introduced Reverend Daniel Robayo, Vice President, of the Faith in Action program, who provided a brief presentation. Faith in Action is a multi-faith coalition of 22 congregations in Harrisonburg and Rockingham County pursuing local justice concerns. Reverend Robayo invited the County to participate in the Welcoming America Council, created to address refugee and immigrant issues locally. He explained that the Welcoming America Council will be a new community-inspired initiative seeking to offer a forum of collaboration and communication between grass roots organizations, local government, various agencies, educational institutions, congregations, and immigrant neighbors. He said participating in the council offers a no cost opportunity to expand relationships, economic development, and expand the County's tax base.

Reverend Robayo introduced Hager Ahmad and Nelly Moreno Shenk who briefly described how they came to reside in the County and what the Welcoming America initiative means to them.

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**INTENT TO ADOPT ORDINANCE AMENDMENT - NORTH RIVER PRECINCT.**

County Attorney Miller reviewed a public notice of the Board’s intent to amend Section 6A-6 of the County Code to change the location of the North River Precinct (404). The current 404 voting location is at Pleasant Valley Elementary School. The school is undergoing construction and will not be available during the next election. The suggested location, Massanutten Technical Center (MTC), is located beside Pleasant Valley Elementary School and meets requirements.

Additionally, Mr. Miller pointed out that instead of relocating the precinct again after construction is complete, staff believes it is in the best interest to retain Massanutten Technical Center as the permanent location.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly, and carried by a roll vote of 3 to 0, voting recorded as follows: BREEDEN - ABSENT; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; the Board adopted the following ordinance amendment:

**ORDINANCE AMENDING A  
PORTION OF SECTION 6A-6  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That the Election District No. 4 portion of Section 6A - 6. “Precincts and polling places – establishment; authority” be and hereby is amended to reflect that the Massanutten Technical Center is the polling place for the North River Precinct (404).

All other provisions of Section 6A-6 remain as they were before.

This ordinance shall be effective from the 8th day of March, 2017.

Adopted the 8<sup>th</sup> day of March, 2017.

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**INTENT TO ADOPT ORDINANCE AMENDMENT – REMITTANCE OF FOOD AND BEVERAGE TAXES COLLECTED.**

As discussed at the February 22, 2017, Board meeting, Mr. Miller indicated it is typical for localities to allow merchants that collect food and beverage taxes to keep a percentage of the money for an administrative fee.

Staff recommended allowing merchants to deduct twenty-five percent (25%) of the amount of taxes collected as an administrative fee, with a maximum deduction of \$75.00 from each monthly payment.

Commissioner of the Revenue Barb indicated that if the ordinance amendment is passed, he will notify current and new vendors of the change and will answer any questions they may have. He pointed out the ordinance will not be effective until July 1, 2017.

On motion by Supervisor Eberly, seconded by Supervisor Cuevas, and carried by a roll call vote of 3 to 0, voting recorded as follows: BREEDEN - ABSENT; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; the Board adopted the following ordinance amendment:

**ORDINANCE ENACTING  
SUB-SECTION 7-82(e)  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That Sub-section 7 – 82(e) “Reporting of taxes collected; remittance; preservation of records” be and hereby is enacted as follows:

Sub-section 7 – 82(e)

To offset the cost of administration, every person required by this Article to collect, report and remit food and beverage taxes who reports and remits such taxes on or before the due date may deduct from the remittance an administrative fee of twenty-five percent (25%) of the tax collected, up to a maximum of Seventy-five Dollars (\$75.00).

This ordinance shall be effective from the 1st day of July, 2017.

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**COUNTY ADMINISTRATOR’S STAFF REPORT.**

The Board received and reviewed Administrator King’s staff report dated March 3, 2017.

Administrator King addressed a memorandum from Chief Holloway regarding a proposed application for grant funds to purchase an ambulance, with a submission deadline of March 15, 2017.

The request proposes the purchase of an ambulance for the McGaheysville area to rotate its service with the current 2013 unit. In addition, during daylight hours, one of these units will occasionally provide service from the Port Republic Road station. The County’s potential share of the match required by the grant is \$117,500, stated Administrator King.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly, and carried by a vote of 3 to 0, voting recorded as follows: BREEDEN - ABSENT; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; the Board authorized the submission of a Rescue Squad Assistance Fund (RSAF) grant by the Department of Fire & Rescue for the purchase of an ambulance, with the understanding that a 50 percent match is required of the County if the grant is awarded.

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Administrator King advised the Board of a waterline leak under Spotswood Trail (Route 33) near Judy Lane (Route 647) in McGaheysville. He explained that in order to repair the existing waterline an open cut to the pavement on Route 33 will be required, followed by

repaving of the road. Currently, a new waterline for that area is under design and planned for construction later this year. Instead of repairing the existing line, which would be abandoned once the new line is installed, staff determined the best solution is to proceed with replacement of that section, boring under the roadway, eliminating traffic disruption. Administrator King noted the replacement will occur in accordance with the plans for the greater project. Staff will proceed under an emergency procurement situation at a solid per foot cost estimated by Snyder Environmental at \$80,000. Administrator King indicated that staff is confident with the decision to use Snyder Environmental, as they recently performed the boring along Route 33 at the new park.

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**COUNTY ATTORNEY’S STAFF REPORT.**

County Attorney Miller presented a resolution formalizing action taken at the February 22, 2017, Board Meeting for the Robinson Park Phase II development project. This resolution signifies that the board declared the project as part of the revitalization area.

In response to Supervisor Cuevas, Ms. Cooper indicated there will be 60 units within Robinson Park II, all of which will be considered low to moderate housing for persons with a working income.

Mr. Miller explained that the line where individuals need assistance obtaining housing has increased. He noted that the homes will be occupied by working individuals with good jobs. This occurs because the cost of housing has risen quicker than salaries in most cases, he said.

On motion by Supervisor Eberly, seconded by Supervisor Cuevas, and carried by a vote of 3 to 0, voting recorded as follows: BREEDEN - ABSENT; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; the Board adopted the following resolution:

March 8, 2017  
JD Bondurant  
Virginia Housing Development Authority  
601 South Belvidere Street  
Richmond, VA 23220

VHDA Tracking Number: 2017-C-37  
Development Name: Robinson Park II  
Development Jurisdiction: Rockingham County  
Name of Owner/Applicant: Robinson Park II VA LLC

**RESOLUTION**

The above-referenced development is located in a revitalization area in Rockingham County, Virginia. The industrial, commercial or other economic development of such area will benefit the county but such area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in such area; and private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area, and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

Adopted by the Board of Supervisors of Rockingham County, Virginia, this 8th day of March, 2017.

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**ASSISTANT COUNTY ADMINISTRATOR’S STAFF REPORT.**

Assistant County Administrator Anas did not have a written report.

Administrator King pointed out that he and Mr. Anas met with representatives from Via Air, the current carrier for the Shenandoah Valley Regional Airport, to discuss current concerns. Via Air representatives indicated they are aware of concerns and optimistic that the issues will be resolved.

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**FINANCE DIRECTOR’S STAFF REPORT.**

The Board received and reviewed Mrs. Davidson’s staff report dated March 8, 2017.

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**FINANCE COMMITTEE.**

On behalf of the Finance Committee, on motion by Supervisor Eberly, seconded by Supervisor Cuevas, and carried by a vote of 3 to 0, voting recorded as follows: BREEDEN - ABSENT; CHANDLER – AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - ABSENT; the Board approved the following:

**FY2016-2017 Supplemental Adjustment**

**Department of Social Services**

A supplemental adjustment of (\$48,342) for the Department of Social Services to reduce health insurance expense. The amount originally budgeted was not adjusted to reflect the final changes in the FY17 Budget.

Supplemental Adjustment: (\$48,342)

(\$ 249)	GL Code: 1220-00000-11803-000-316985-000	Salary Reimbursement- CSB
(\$14,686)	GL Code: 1220-00000-11899-000-318950-000	Share of Costs- City
(\$14,071)	GL Code: 1220-00000-13303-000-338983-000	PUB Assistance & Admin-Fed
(\$19,336)	GL Code: 1220-00000-15101-000-351000-000	From General Fund
(\$47,343)	GL Code: 1220-05301-10300-000-502300-001	Health Insurance
(\$ 646)	GL Code: 1220-05332-10300-000-502300-000	Health Insurance
(\$ 353)	GL Code: 1220-05334-10300-000-502300-000	Health Insurance

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**FY2016-2017 Supplemental Appropriations**

**Clerk of the Circuit Court**

A supplemental appropriation of \$4,098 for document preservation. Funding will be provided by the Library of Virginia’s Item Conservation Grant 2017A-48. No local funding is required.

Supplemental Appropriation: \$4,098

\$4,098	GL Code: 1001-02106-10202-000-503109-000	Other Professional Services
\$4,098	GL Code: 1001-00000-12404-000-324180-000	Records Preservation Grant

**Clerk of the Circuit Court**

A supplemental appropriation of \$278,528 for the annual Technology Trust Fund. Funding will be provided by the State.

Supplemental Appropriation: \$278,528

\$62,900	GL Code: 1001-02106-10201-000-501300-000	Salaries & Wages-Part Time
\$15,128	GL Code: 1001-02106-10201-000-503109-000	Other Professional Services
\$200,500	GL Code: 1001-02106-10201-000-508001-000	Machinery & Equipment
\$278,528	GL Code: 1001-00000-12309-000-323820-000	Clerk of Technology Trust Fund

**Landfill**

A supplemental appropriation of \$178,592 for change orders on the Landfill Entrance Project. Items in the change orders include fencing, a compactor, wheel wash station and other miscellaneous items. Total additional funds needed for the project are \$306,317. However, only \$178,592 needs to be appropriated because of money transferred from other accounts.

Supplemental Appropriation: \$178,592

\$178,592	GL Code: 1411-00000-15201-000-352000-000	Fund Reserve
\$178,592	GL Code: 1411-00000-00000-000-508305-000	Site Improvements

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**FY2015-2016 Carryover Funds to FY2016-2017**

**Landfill**

A carryover of unencumbered FY 2015-2016 funds of \$83,801 for the Landfill Cell 5A Project.

Carryover Appropriation: \$83,801

\$83,801	GL Code: 1411-00000-15201-000-352000-000	Fund Reserve
\$23,801	GL Code: 1411-04207-00000-000-508301-000	Earthwork
\$60,000	GL Code: 1411-04207-00000-000-503106-000	Architecture and Design

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

The Board received and reviewed Mrs. Mongold’s staff report dated March 8, 2017.

Mrs. Mongold reviewed recommended changes to the Employee Handbook. She explained that the changes reflect software enhancements and/or current practices.

Additionally, she reviewed the proposed adjustments to the Paid Time Off (PTO) accruals for employees. She pointed out that the current PTO accruals for the County are below national averages and lower than other localities. Raising accruals will provide the opportunity for the County to be more competitive. Mrs. Mongold also pointed out that the current PTO accruals do not provide sufficient time for sick leave, particularly, for new hires.

On motion by Supervisor Eberly, seconded by Supervisor Cuevas, and carried by a vote of 3 to 0, voting recorded as follows: BREEDEN - ABSENT; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - ABSENT; the Board authorized the following changes to the Employee Handbook and to the Paid Time Off (PTO) accruals:

**Overtime And Overtime Pay**

Accumulated compensatory time will be paid out to the employee in the months of June and December.

**On Call Work**

The County will pay those employees that are required by their supervisor or department head to be “on call” a rate of \$8.00 per eight (8) hour shift. The Department Head will select the option and obtain approval from the Director of Human Resources. On call is defined as time that an employee is required to be available and accessible to receive and respond timely to calls on an emergency basis outside of regular working hours.

**Payday**

All employees are required to enroll in direct deposit. Employees receive instruction during new hire orientation regarding how to access pay information through the County’s Employee Self Service portal.

**Garnishments And Assignments Of Wages**

The assignment of wages, or an order for garnishment of wages for credit for any employee, is regarded as a serious matter. If a creditor obtains a garnishment on an employee’s earnings, the County is required by law to deduct the necessary payment.

**Annual Leave (Vacation)**

When employment ends, the terminating employee will be paid for all unused annual leave up to the maximum yearly amount allowed for his or her years of service. Employees of Constitutional Officers are not eligible for payment of accumulated leave time at termination/retirement.

**Holidays With Pay**

A holiday schedule will be distributed to all County employees in January of each calendar year.

The following are holidays currently observed by County employees; however, other holidays may be approved by the Board of Supervisors:

<b>January 1</b>	<i>New Year’s Day</i>
<b>Friday preceding the third Monday of January</b>	<i>Lee-Jackson Day</i>
<b>Third Monday of January</b>	<i>Martin Luther King Day</i>
<b>Third Monday of February</b>	<i>George Washington’s Birthday</i>
<b>Last Monday of May</b>	<i>Memorial Day</i>
<b>July 4</b>	<i>Independence Day</i>
<b>First Monday of September</b>	<i>Labor Day</i>
<b>Second Monday of October</b>	<i>Columbus Day</i>
<b>November 11</b>	<i>Veteran’s Day</i>
<b>Fourth Thursday of November</b>	<i>Thanksgiving Day</i>
<b>Fourth Friday of November</b>	<i>Day after Thanksgiving Day</i>
<b>December 25</b>	<i>Christmas Day</i>

**Paid Time Off (PTO) Accruals:**

Full Time employees covered under the PTO plan receive accruals based on their years of County Service. PTO hours are accrued monthly. An employee is eligible for leave according to the table below:

Years Of Service	Accrual Hours Per Month	Maximum Annual Hours
0 up to 5 years	12 hours per month	200 hours per Calendar Year
5 years up to 10 years	14 hours per month	240 hours per Calendar Year
10 years up to 15 years	16 hours per month	280 hours per Calendar Year
15 years or more	18 hours per month	320 hours per Calendar Year

**24 hour Fire and Rescue Personnel**

Years Of Service	Accrual Hours Per Month	Maximum Annual Hours
0 up to 5 years	15 hours per month	240 hours per Calendar Year
5 years up to 10 years	18 hours per month	288 hours per Calendar Year
10 years up to 15 years	21 hours per month	336 hours per Calendar Year
15 years or more	24 hours per month	384 hours per Calendar Year

PTO hours will not accrue during any unpaid absence of 40 hours or more, per biweekly pay period, including absences for FMLA reasons.

Employees may carry forward to a new calendar year PTO leave balances of no more than the applicable Maximum Annual Hours per Year.

Any scheduled holiday that falls during the employee’s PTO leave will not be charged as PTO but as Holiday Leave. Refer to Holiday Leave in the Employee Handbook.

Bereavement leave and Jury Duty leave are not deducted from PTO hours. Refer to Bereavement Leave and Jury Duty Leave in the Employee Handbook.

The immediate previous record of full time employment with Harrisonburg-Rockingham Department of Social Services and/or Rockingham County Public Schools may be used in determining the rate of annual PTO accrual when hired as a Rockingham County employee. Accrued leave balances will not be transferred from the previous position.

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

The Board received and reviewed Mr. Hertzler’s staff report dated March 8, 2017.

Mr. Hertzler pointed out that the new landfill entrance will open on April 3. Staff will rent a message board to place at the entrance and post a message to the County’s website to notify residents.

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**PUBLIC WORKS COMMITTEE.**

Supervisor Cuevas reported that the Finance and Public Works Committees received and reviewed bids for the Landfill Phase 5A project. He said it is staff’s recommendation to approve the A&J Development & Excavation bid of \$8,710,669.

Bids Received:

A&J Development & Excavation Inc.	\$8,710,669
Perry Engineering Company Inc.	\$10,915,390
Sargent Corporation	\$9,542,000
Shamrock Environmental Corporation	\$8,871,046

On behalf of the Public Works Committee, on motion by Supervisor Cuevas, seconded by Supervisor Eberly, and carried by a vote of 3 to 0, voting recorded as follows: BREEDEN – ABSENT; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – ABSENT; the Board authorized staff to accept the bid from A&J Development & Excavation Inc. of \$8,710,669 for the Landfill Phase 5A project.

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

The Board received and reviewed Mr. Armstrong's staff report dated March 8, 2017.

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**TECHNOLOGY DIRECTOR'S STAFF REPORT.**

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

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

The Board received and reviewed Chief Holloway's staff report dated March 2017.

Chief Holloway commended Jim Junkins for his commitment to ensuring emergency communications are always available. He explained that anytime there is an issue, Mr. Junkins is at the scene providing technical support immediately.

Chief Holloway also reported that staff is working with the community development department on ways to improve building construction, evacuation routes and educational training for homeowners. He pointed out that there are locations in the County where travel distance can be an issue. He provided the example of a recent house fire in Massanutten. The fire engine was dispatched immediately, however; by the time it made it to the residence at the top of the mountain, approximately 20 minutes had passed, resulting in damage to the neighboring house. Chief Holloway's intent is to prevent loss of life and loss of economic development by being proactive.

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

The Board received and reviewed Mrs. McQuain's staff report dated March 2017.

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

The Board received and reviewed Mrs. Freeman's staff report dated March 8, 2017.

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**COMMITTEE REPORTS.**

Chairman Chandler opened the floor for Committee Reports.

MASSANUTTEN REGIONAL LIBRARY

Supervisor Chandler reported that the committee will discuss the upcoming budget at the next meeting.

METROPOLITAN PLANNING ORGANIZATION (MPO)

Supervisor Eberly reported that the MPO recently met to discuss the Long Range Transportation Plan.

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**APPOINTMENTS.**

County Attorney Miller pointed out that with the upcoming real estate reassessment, the Board of Equalization will need to be formed by January 2018. He suggested Board members begin to consider possible recommendations for appointment by the Circuit Court.

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**RECESS.**

At 4:13 p.m., Chairman Chandler recessed the meeting for dinner.

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**OPEN MEETING.**

Chairman Chandler opened the evening portion of the meeting at 6:00 p.m.

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**SUNTRUST RESOLUTION.**

Mrs. Davidson indicated SunTrust requested that the Board adopt a resolution to remove James Allmendinger from the commercial credit (purchasing) card account and authorize her and Deputy Director of Finance Justin Moyers to make decisions about the County purchasing cards and have signatory authority for standard banking functions at SunTrust.

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 following resolution:

**Corporate Resolution and Certificate of Incumbency  
(Commercial Credit Card Account)**

I, Stephen G. King, hereby certify that I am the County Administrator and Clerk, and custodian of the records of Rockingham County (legal name of corporation) a corporation duly organized and existing under the laws of Virginia; that the following is a true and correct copy of certain resolutions duly adopted by the Board of Directors of said corporation at a meeting duly held on the 8th day of March, 2017 at which a quorum was present; and that the following resolutions are in conformity with the charter and by-laws of said corporation and have not since been rescinded or modified.

**RESOLVED**, that this corporation enter into a commercial credit card account (“Card Account”) relationship with SunTrust Bank (“Bank”); that any one of the officers of this corporation listed below be and is hereby authorized to enter into, execute and deliver in the name of and on behalf of the corporation the agreements, documents, or other instruments deemed reasonable or necessary to establish and administer the Card Account; and that this corporation shall be bound by the terms and conditions of said agreements, documents, or other instruments as the same may be amended from time to time.

**RESOLVED FURTHER**, that the corporation shall furnish to the Bank a certified copy of these resolutions, which resolutions shall continue in full force and effect until written notice of the rescission or modification of the same has been received by the Bank, and the Bank has had reasonable time to act on such notice, and shall furnish to the Bank the names and specimen signatures of the officer(s) named herein, and those persons from time to time holding such positions.

I hereby certify that the following are the names and specimen signatures of the officer(s) designated in the foregoing resolutions and that each presently holds the title indicated therein:

Name	Title	Signature
Patricia Davidson Justin Moyers	Director of Finance Deputy Director of Finance	

**IN WITNESS WHEREOF**, I have hereunto subscribed my name and affixed the seal of said corporation this 8<sup>th</sup> day of March, 2017.

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

At 6:01 p.m., Chairman Chandler opened the public hearing and Ms. Stultz reviewed the following requests:

SUP16-378 Leon & Ida Heatwole, 8779 Fox Hill Drive, Port Republic 24471 for a contractor's operation (landscaping) with waiver to increase building size from 3500 sq. ft. to 5000 sq. ft. and waiver to increase number of vehicles and equipment storage from 5 to 15 on property located on the west side of Grassy Creek Road approximately 200' north of Osceola Springs Road, Election District #4, zoned A-2, tax map #124-(A)-120. Property address: 2754 Grassy Creek Road.

Mr. Miller informed the Board that this type waiver will not be necessary in the future, if the proposed zoning ordinance supplemental standards amendments discussed at the February 22, 2017 Board and Planning Commission work session are adopted.

The applicant was present and available to answer questions.

No one spoke regarding the request.

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SUP17-013 Shannon & Sarah Showalter, 17768 Honeyville Road, Timberville 22853 for an event center on property located on the east side of Honeyville Road approximately 1000' north of Orchard Drive, Election District #1, zoned A-1. Tax Map #28-(A)-155.

Ms. Stultz noted that in response to concerns expressed by the Sheriff's Department and VDOT regarding vehicles that have parked along Honeyville Road during large events, the Showalters significantly enlarged the parking area on their property. VDOT will work with the Showalters if the special use permit is approved and if more parking is needed.

Ms. Stultz noted the applicants submitted a Statutory Declaration indicating the proposed farm structure is exempt from all building code and building inspection requirements since it will be used for the storage, handling, production, display, sampling and sale of agricultural, horticultural and floricultural products produced on their farm/in their orchard. She indicated the declaration applies to the lower level of the bank barn, which will be used for a sales area, coolers and tasting room. However, the event center portion of the building does not meet the requirements in the declaration and is not exempt from building code requirements.

Ms. Stultz indicated the fact that the event center is not exempt from the building code requirements was discussed with the applicants at a meeting held on their property and at the pre-application meeting with staff and other agencies. The applicants invited Ms. Stultz, the building official and fire marshal to visit their property and tell them what is needed.

Ms. Stultz reviewed consideration number 9, which stated:

“No food shall be prepared and served from the premises; all events shall be catered. If applicant determines they want to prepare food on premises, the use will be evaluated to see what additional permits would be required.”

Ms. Stultz noted that from a zoning standpoint, unless the Board indicates food cannot be prepared at the event center, if the Showalters decide to prepare food on the premises later, they will need to follow the requirements of the building code and fire marshal.

In response to questions from Supervisor Cuevas, Ms. Stultz explained that the applicants will have to obtain the proper health department permits to prepare food on the property. If they want to prepare food in their residence to be served to the public, the building official will likely require the Showalters to have a commercial kitchen in their home. The fire marshal would also be involved, she said.

Mr. Miller interjected that the health department is involved with catering services at the point of food preparation. It is considered a restaurant when food is cooked and prepared onsite for the public. At that point, the building official and fire marshal also become involved. Mr. Miller thanked the Showalters for working with the County.

Ms. Stultz indicated the Showalters' residence is not part of the special use permit request and the event center can have a catering or warming kitchen. She previously discussed with the Showalters the possibility of installing commercial appliances in case they decide later to prepare food or teach classes. In which case, they will need to meet health, fire and building code requirements. The Showalters will only need additional approval from the County if they install a full kitchen separate from the event center to open a restaurant. Ms. Stultz reiterated that from a zoning department standpoint, the Showalters can have a kitchen to teach classes. However, they will need to meet building code, fire code and health department regulations.

Sarah Showalter said she and her husband are not currently installing a full kitchen, but they realize the structure needs to be planned to meet building code specifications. In case they want approval to prepare food on-site later, they are working with Ms. Stultz, Chief Holloway and Building Official Shifflett to plan appropriately to meet fire regulations by using building materials required in a commercial kitchen.

Shannon Shifflett said information was provided to VDOT to show there will be adequate on-site parking for events held in the new building. To address parking issues that previously occurred during an annual event, they established off-site parking on a neighbor's property and will transport visitors from that property via a shuttle van.

Mrs. Showalter spoke with Brad Riggleman at VDOT to determine how to improve the parking situation. Mr. Riggleman thought they had sufficiently increased the parking for the time being, but indicated they can consider erecting “No Parking” signs along Honeyville Road if it becomes an issue again.

Ms. Stultz indicated Mr. Riggleman told her that even though there is currently ample parking, people are used to parking along the road. If parking becomes an issue again, VDOT will work with the Showalters to resolve the situation.

Kim Sandum confirmed that the property is in the A2 district, and asked if the applicant or staff had an estimate on the number of people attending events. Ms. Stultz noted that the fire marshal will work with the Showalters on the size of the building and may limit the occupancy.

Mrs. Showalter stated the proposed square footage of the event center will accommodate a maximum of 300 people, but they anticipate having a maximum of 250 attendees.

No one spoke in opposition to the request.

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At 6:17 p.m., Chairman Chandler closed the public hearing.

On behalf of Supervisor Kyger, on motion by Supervisor Breedon, seconded by Supervisor Cuevas, and carried by a vote of 4 to 0, voting recorded as follows: BREEDON – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER –ABSENT; the Board, with the following conditions, approved SUP16-378, Leon & Ida Heatwole, 8779 Fox Hill Drive, Port Republic 24471 for a contractor's operation (landscaping) with waiver to increase building size from 3500 sq. ft. to 5000 sq. ft. and waiver to increase number of vehicles and equipment storage from 5 to 15 on property located on the west side of Grassy Creek Road approximately 200' north of Osceola Springs Road, Election District #4, zoned A-2, tax map #124-(A)-120. Property address: 2754 Grassy Creek Road.

CONDITIONS:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Building shall comply with the Statewide Building Code and the proper permits shall be obtained.
3. This permit is contingent upon a site plan being submitted to and approved by the County. No work shall be done on the property and the business shall not begin operation until such time as the site plan is approved.
4. A commercial entrance permit shall be obtained from VDOT for an entrance onto Grassy Creek Road. A copy of the permit shall be submitted to the Community Development Department prior to issuance of a building permit.
5. Entrance shall be installed and approved by VDOT prior to the issuance of a certificate of occupancy.
6. This use is contingent upon applicant obtaining sewage disposal system approval from the Health Department for this business.
7. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.
8. There shall be no off-premise signs permitted unless all County and State regulations are met.
9. Parking shall comply with the Rockingham County Code.
10. The 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.

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Supervisor Cuevas hopes the example set by the Showalters establishes precedence for other applicants to meet with the building official, fire marshal, and health department and VDOT representatives during the planning stage. This will allow them to tailor the special use permit to meet code requirements and include their recommendations in the application. Supervisor Cuevas stated he appreciates the Showalters efforts to look into these areas before beginning the application process.

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, with the following conditions, approved SUP17-013, Shannon & Sarah Showalter, 17768 Honeyville Road, Timberville 22853 for an event center on property located on the east side of Honeyville Road approximately 1000' north of Orchard Drive, Election District #1, zoned A-1. Tax Map #28-(A)-155.

CONDITIONS:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Building shall comply with the Statewide Building Code and the proper permits shall be obtained.
3. This permit is contingent upon a site plan being submitted to and approved by the County. No work shall be done on the property and the business shall not begin operation until such time as the site plan is approved.
4. Adequate parking for events shall be provided on-site and there shall be no parking along Honeyville Road.
5. Use shall meet the requirements of the Rockingham County Fire Prevention Code.
6. Applicant shall meet the Health Department regulations regarding sewage disposal.
7. Applicant shall contact the Office of Drinking Water (ODW) for water supply approval for use of a well. If determined after talking with ODW representatives, a permit from that office is not needed, applicant shall use a well of known construction and water quality.
8. As required by the Health Department no food shall be prepared and served from the premises, and events shall be catered only.
9. Parking shall comply with the Rockingham County Code.
10. There shall be no off-premise signs permitted unless all County and State regulations are met.
11. 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.

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Supervisor Eberly said it is a pleasure for someone to state what they want to do and work with County staff and others to determine what is needed. He hopes the process has also been helpful for the applicant.

Mrs. Showalter said this has been an excellent experience. When there have been obstacles, they reached out to County staff and others who were helpful in finding solutions. They want to continue the relationships, she said.

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**ADJOURNMENT.**

Chairman Chandler declared the meeting adjourned at 6:21 p.m.

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Chairman