

March 9, 2016

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, March 9, 2016 at 3:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

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

Also present:

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
ANN MARIE FREEMAN, Director of Court Services
BARRY E. HERTZLER, Director of Public Works
JEREMY C. HOLLOWAY, Fire & Rescue Chief
KATHARINE S. McQUAIN, Director of Parks and Recreation
JENNIFER J. MONGOLD, Director of Human Resources
TERRI M. PERRY, Director of Technology
RHONDA H. COOPER, Director of Planning
DIANA C. STULTZ, Zoning Administrator
JESSICA G. KILBY, Deputy Clerk
JOSHUA W. DUNLAP, Assistant Residency Administrator
Virginia Department of Transportation

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

Chairman Kyger called the meeting to order at 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 Chandler, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board approved the minutes of the regular meeting of February 24, 2016.

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TRANSPORTATION DEPARTMENT.

In Mr. Komara’s absence, Joshua Dunlap, Assistant Residency Administrator, provided a brief report on the activities of the Transportation Department. He indicated work is moving along well on the South Valley Pike (Route 11) bridge project. The footers have been poured and excavation has begun. The project at the intersection of Southeast Side Highway (Route 340) and Port Republic Road (Route 253) is also moving along well.

Mr. Dunlap reported that pre-construction meetings will be held in the next two weeks regarding surface treatment and plant mix contracts. Recent maintenance has included patching potholes, cleaning pipes, brush cutting and shoulder work.

In response to a question from Supervisor Cuevas, Mr. Dunlap indicated final funding scenarios for House Bill 2 (HB2) funding and Revenue Sharing funding should be available within the next few months. Administrator Paxton indicated that the revenue sharing allocation from the state might be reduced.

Supervisor Breeden requested that a half-mile portion of Ore Bank Road (Route 708) leading onto Browns Gap Road (Route 663) be considered for future rural rustic improvements.

Supervisor Chandler pointed out that a left turn lane arrow on the west side of Sentara RMH was only partially blacked out during road improvements. He explained that it can become confusing for motorists and requested the left turn arrow be blacked out completely.

On behalf of Chairman Kyger, on motion by Supervisor Chandler, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board approved the following Resolution:

Hebron Court (Route 1198) – STREET ADDITION

The Board of Supervisors of Rockingham County, in regular meeting on the 9th day of March, 2016 adopted the following:

RESOLUTION

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

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

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

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

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

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

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, with necessary easements for cuts, fills and drainage as recorded in Plat Book VI-3868, Page 546, recorded , 27th of April, 2011, and

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

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

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BLUE RIDGE COMMUNITY COLLEGE.

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

During his presentation, Dr. Downey reported that in 2015, BRCC served 4,980 local students in the credit program, with 1,478 of those students from the County. Additionally, 1,003 County residents enrolled in noncredit, workforce and personal enrichment courses. He reported that 67.7 percent of adults age 25-65 have less than an associate degree in our region. That compares to 55 percent statewide and 61 percent nationally. It is Dr. Downey's belief that the college can help this high percentage of adults receive certifications and progress toward career oriented associate degrees.

Dr. Downey provided an update on recent campus construction, pointing out that the 40-thousand square foot addition to the Houff Student Center is near completion. The Houff Student Center houses admission offices, financial aid and business offices, as well as ten classrooms and two chemistry laboratories. He also noted that the construction of a parking deck is expected to begin in October; once drawings are finalized.

Blue Ride Community College is ranked high on The General Assembly's bond package list for a bioscience building. The bond package was designed to enhance Virginia's technological research and economic development infrastructure. Dr. Downey explained how critical a bioscience building is for economic development in our area, especially, for MillerCoors, Merck, and SRI. He pointed out that each of these companies will have a continuing need for qualified technicians with science skills.

Dr. Downey reported that Blue Ridge continues to work with the Shenandoah Valley Partnership and TV-3 on the In-Demand campaign to promote in-demand local career opportunities in the Valley. The careers featured are high-wage, high-growth, high-demand jobs that do not necessarily require a four-year degree, but do require further

education after high school. He 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. Blue Ridge Community College, along with Rockingham County Public Schools and Massanutten Technical Center, is working to fill that skills gap.

As chair of the Strategic Planning Committee for the Virginia Community College System, Dr. Downey's goal is to triple the number of credentials offered in the community college system. He noted that for the first time in history, the state may provide funding for high demand non-credit certification training programs.

Supervisor Breeden inquired about Class B and Hazardous Material CDL truck driver training. He indicated regulations are becoming more restrictive and pointed out that it is difficult for drivers to receive this type of training. Dr. Downey indicated that BRCC currently provides Class A and Class B CDL training and stated that he will look into the hazardous material requirements.

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INTRODUCTION OF STUDENT.

A Turner Ashby High School student introduced himself to the board.

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SHENANDOAH NATIONAL PARK.

Jim Northup, Shenandoah National Park Superintendent, updated the Board on the activities of the Shenandoah National Park. This year marks the 100th birthday of the National Park system. The centennial will kick off a second century of America's national parks and will engage communities through recreation, conservation, and historic preservation programs.

He reported visitation in the park reached over 1.3 million visitors in 2015. The park continues to be a huge economic engine for the region with the latest study indicating park visitors spend over 80 million dollars in local communities surrounding the park. The park continues to be a major contributor to the local and regional economy, supporting more than 1,085 jobs and sending work to local contractors through a wide variety of projects.

Mr. Northup highlighted several accomplishments over the past year, including the completion of the park's Foundation Document. The Foundation Document replaces the General Management Plan, as the plan was outdated. The Foundation Document reaffirms the parks purpose, significance, key resource values, major interpretive themes, and will be used as a guide for years to come. He noted that park concessioner, Delaware North,

continues to make significant improvements to park facilities and Skyline Drive is in outstanding condition.

In May 2015, the park entrance fees increased from \$15 to \$20 per vehicle. Mr. Northup indicated the fee increase was well received by the public and noted that 80 percent of those funds remain in the Shenandoah National Park.

After years of planning and a series of public meetings, a plan is in place to manage Chronic Wasting Disease, a non-native disease that infects the white tail deer population. Officials also continue to actively treat the remaining hemlock trees, 95 percent of which were killed by the hemlock woolly adelgid (HWA), along with treating the remaining ash trees, threatened by the emerald ash borer.

Park officials have been working toward more sustainable and climate-friendly operations with the use of hybrid vehicles, propane-powered lawnmowers, night sky compliant solar-powered lighting, and new electric charging stations for electric vehicles.

Additionally, a new mobile visitor center is in place at the south end of the park to provide better public service. Mr. Northup was excited to announce the signing of a new sister park agreement with the National Nature Reserve in China, to help promote international visitation to the park and its surrounding areas.

He closed by highlighting many events that will take place during the year in honor of the centennial celebration and provided staff with a copy of events.

Supervisor Breeden pointed out that staff is working to establish a memorial to recognize families who were displaced in the creation of Shenandoah National Park. He indicated a dedication will be held for those families once a monument is established and invited Mr. Northup to attend.

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RECESS.

At 3:45 p.m., Chairman Kyger declared the regular meeting recessed for a meeting of the Lilly Subdivision Sanitary District.

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RESUME REGULAR MEETING.

At 3:46 p.m., Chairman Kyger called the regular meeting back to order.

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COUNTY ADMINISTRATOR’S STAFF REPORT.

Administrator Paxton announced that the unveiling of retired General District Court Judge Richard Claybrook’s portrait will take place on April 1, 2016 at 4 p.m. in Circuit Court Room A.

He indicated Ned Overton’s term to the Central Shenandoah Planning District Commission will expire at the end of June and noted that Mr. Overton is eligible for reappointment.

Administrator Paxton advised that a closed meeting should be added to the agenda for legal briefing by counsel.

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2016 PRESIDENTIAL PRIMARY ELECTION AND ACCEPTANCE OF ABSTRACTS OF VOTES.

On motion by Supervisor Eberly, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER – AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board accepted the 2016 Presidential Primary Election Abstract of Votes from the Registrar and instructed the clerk to spread them in the minutes:

ABSTRACT of VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 March Republican Presidential Primary Election held on March 01, 2016 for,

President

NAMES OF CANDIDATES ON THE BALLOT

*TOTAL VOTES RECEIVED
(IN FIGURES)*

Donald Trump

Marco Rubio

Ted Cruz

Ben Carson

John Kasich

Jeb Bush

Rand Paul

Mike Huckabee

Chris Christie

Jim Gilmore

Carly Fiorina

Lindsey Graham

Rick Santorum

Total Write-In Votes

Total Number of Overvotes for Office

ABSTRACT of VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 March Democratic Presidential Primary Election held on March 01, 2016 for,

President

NAMES OF CANDIDATES ON THE BALLOT

*TOTAL VOTES RECEIVED
(IN FIGURES)*

Bernie Sanders

Hillary Clinton

Martin J. O'Malley

Total Write-In Votes

Total Number of Overvotes for Office

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ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. Anas' staff report dated March 2016. Mr. Anas provided a handout of upcoming economic development and tourism events.

He reported that on March 2, 2016, the Virginia Tourism Corporation (VTC) advised staff that Rockingham County was a recipient of a grant award of \$25,000 for tourism marketing and related activities in the County.

As required, staff applied for the grant in coordination with two other entities: Massanutten Resort and the Rockingham County Fairgrounds. Massanutten contributed \$750 and the Rockingham County Fairgrounds contributed \$250.

The grant was presented at a public ceremony in Richmond, Virginia on Monday, March 7, 2016. Mr. Anas reported that he and Tourism Manager, Michele Bridges, attended the ceremony. He was excited to report that during the presentation, the Virginia Tourism Corporation provided research indicating that every \$1 granted through this program directly results in \$16 of visitor spending. Mr. Anas pointed out that the County's \$25,000 grant could turn into over \$400,000 of local spending, thus generating new tax revenue for the County.

On motion by Supervisor Chandler, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board accepted the Virginia Tourism Corporation grant award of \$25,000, with the stipulation that the funds be used toward the local cost of tourism marketing in the County.

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FINANCE DIRECTORS STAFF REPORT.

The Board received and reviewed Mrs. Davidson's staff report dated March 9, 2016

Administrator Paxton noted that the General Assembly's budget conference committee will release its report on the state budget between 4-6 p.m. on March 9, 2016. This report will provide better information for staff to move forward with the budget process.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board declared the following items surplus to be disposed of through the public surplus auction website:

Item to Declare Surplus – March 2016

| Description | Quantity |
|--------------------|-----------------|
| Medium Desk Chairs | 5 |
| Small Desk Chairs | 2 |
| Planar Monitors | 32 |

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|--|----|
| Towers | 13 |
| Photosmart | 2 |
| Keyboards | 20 |
| HP Printers | 28 |
| Box of Power Cords | 1 |
| Scanners | 2 |
| Latitude Laptops | 2 |
| APC office 280 UPS | 7 |
| CD Drive IDE | 15 |
| Floppy Drive-Internal with mtg kit | 10 |
| Group of Misc. Dell Hard drives with monitor | 1 |
| Multifunction fax/copier | 1 |
| TVs | 6 |
| Box of Kitchen Items | 1 |
| Desk Chairs | 4 |
| Desk Chairs | 4 |

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HUMAN RESOURCES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Mongold's staff report dated March 9, 2016

Mrs. Mongold reported that federal mandated 1095 forms pertaining to health insurance coverage for employees have been distributed. She explained that the forms are a new requirement of the Affordable Care Act.

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Hertzler's staff report dated March 9, 2016.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's staff report dated March 9, 2016.

Mr. Armstrong reported that after review of information provided by two consultants regarding the Request for Proposals (RFP) for a telecommunications consultant, AECOM was selected. He pointed out that AECOM worked closely with the Harrisonburg-Rockingham Emergency Communications Center during its recent radio

upgrade project. The award of this contract does not require Board approval since it is anticipated that the annual cost will be less than \$30,000.

Additionally, Mr. Armstrong reported that staff is exploring a possible grant application to assist the County with funding for the Comprehensive Plan update. If approved, the grant would be used to partially fund the cost for the County to plan the area just east of the City. He indicated more information will be forwarded to the Board within the next several weeks.

Ms. Stultz reported that there has been interest in developing craft breweries in the County. She explained that the County Code currently allows for a farm brewery, a microbrewery and industrial breweries. Staff is recommending replacing the term “microbrewery” with “craft brewery”. This change would allow 250,000 barrels per year to be produced on site.

In response to several questions, Ms. Stultz stated that craft breweries would be allowed in business districts and planned zoning districts, and the Alcoholic Beverage Control (ABC) board will regulate the activities of the breweries.

For clarification, Ms. Stultz stated that farm breweries (less than 15,000 barrels of beer per year) are permissible by right in agriculture zones, and craft breweries are recommended by right in a business district.

On motion by Supervisor Cuevas, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board directed staff to draft a Craft Brewery Ordinance, which will be forwarded to the Planning Commission for recommendation to the Board of Supervisors.

Ms. Cooper reported that SVTB Crossroads LLC requested to amend the proffer and master plan for Crossroads Farm Subdivision. The proposed amendments provide for the realignment of the road network and a change in the layout of some housing units. Ms. Cooper stated that the amendments do not impact use or density, therefore pursuant to Code of Virginia §15.2-2302.B, the Board may waive the requirement for a public hearing.

On motion by Supervisor Chandler, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; per §15.2-2302.B of the Code of Virginia, the Board waived the public hearing requirement for SVTB Crossroads LLC since the proposed amendment to the proffer and master plan does not affect the use or density.

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TECHNOLOGY DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Perry's staff report dated March 2016. She reported that the mobile phone contract changeover will take place in mid-April, once the Shentel/Ntelos merger is complete.

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FIRE AND RESCUE CHIEF'S STAFF REPORT.

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

Chief Holloway discussed the Staffing for Adequate Fire and Emergency Response (SAFER) grant outlined in his memorandum to the Board and requested authorization to reapply for the six positions previously requested and three additional positions to be stationed in Bridgewater.

If awarded the grant, the Federal Emergency Management Agency (FEMA) will fund salary and fringe benefit costs for nine positions for the first two years of employment. The County will be responsible for all costs thereafter.

On motion by Supervisor Cuevas, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board authorized staff to submit a SAFER grant application to reapply for six firefighter positions for the Hose Co. 4 response area; and to apply for three firefighter/EMT positions for the Bridgewater response area.

Administrator Paxton pointed out that emergency response stations are staffed 365 days per year, 24 hours per day; meaning it takes three individuals to fill one full-time position. The six positions requested previously, will fill two full-time positions, and the three additional positions requested will fill one full-time position at the Bridgewater response area to provide a higher level of service.

Supervisor Cuevas stated it is important to note that these positions are necessary for the County's operations and are requested to be funded by the federal grant for a two year period, after which the County becomes responsible for 100 percent of the funding.

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PARKS & RECREATION DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. McQuain’s staff report dated March 2016.

A Recreation Foundation Board meeting will be held on Monday, March 14, 2016, in order for the Board to review the proposals for a fundraising consultant.

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COURT SERVICES DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Freeman’s staff report dated March 9, 2016.

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COMMITTEE REPORTS.

The Board heard committee reports from Board members and staff.

BUILDING AND GROUNDS

Supervisor Eberly reported that facilities staff advertised for sealed bids for the Landscaping and Mowing Contract. The bid was separated into three parts. The first part was the General Lots and Fields Mowing Service Contract. The bids were as follows:

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|----------------------|--|
| Litten Lawn Services | \$1,965 per occurrence (held previous 3 year contract) |
| Four Seasons | \$2,055 per occurrence |
| J&D Landscaping | \$2,885 per occurrence |

The second and third parts of the contract bid consisted of SRI and IV@R. Both of these contracts consist of multiple services that are performed at different times during the mowing season to include: mowing and trimming (the largest percentage of the cost), mulching, pruning, fertilizing, and weed control. The mowing and trimming contract is based on 20 occurrences during the season, but can extend if the growing season extends. The bids were as follows:

| | | |
|------|-----------------|-------------------------|
| SRI | J&D Landscaping | \$8,425 per occurrence |
| | Four Seasons | \$8,700 per occurrence |
| IV@R | J&D Landscaping | \$5,990 per occurrence |
| | Four Seasons | \$11,350 per occurrence |

On behalf of the Building and Grounds Committee, on motion by Supervisor Eberly, seconded by Supervisor Chandler and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board accepted the low bid submitted by Litten Lawn Services in the amount of \$1,965 per occurrence for the General Lots and Fields Mowing Service Contract and accepted the low bid from J&D Landscaping for the Landscaping and Mowing Contract at SRI and IV@R.

Supervisor Cuevas emphasized the importance that staff monitor the mowing occurrences so that they take place in a timely manner, but at the same time, not too frequently.

COMMUNITY CRIMINAL JUSTICE BOARD

Administrator Paxton reported that staff recently attended a Middle River Regional Jail Meeting. During the meeting, an overview was provided to the MRRJ Board regarding the medical service and mental health services that had been previously requested and reported to by the Board of Supervisors. Administrator Paxton indicated the Middle River staff is reviewing and evaluating electronic medical dispensing system proposals to improve and streamline the medication management system for inmates.

Deputy Administrator King discussed how complicated dispensing and tracking of medication provided to inmates is and how this new system will benefit those inmates.

In response to a question from Supervisor Breeden, Administrator Paxton indicated no inmates should be sleeping on the floor at the Rockingham County Jail, unless it is an overnight instance. Currently there are roughly 300-310 inmates housed at the Rockingham County Jail and 174 at Middle River.

FINANCE

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

Harrisonburg-Rockingham Social Services District

A supplemental appropriation in the amount of \$10,334 for the City of Harrisonburg's portion of the Local Emergency Assistance (LEA) funds which assist local citizens who have crises related to rent or utilities and to pay for burials for indigent individuals. The City approved this funding at the Council's February 23, 2016 meeting. The County's portion of additional LEA funds was approved at the Board's February 10, 2016 meeting.

Supplemental Appropriation: \$10,334

\$10,334 GL Code: 1220-05302-10200-000-505724-000 Other Local Only
 \$10,334 GL Code: 1220-00000-11899-000-318950-000 Share of Costs – Harrisonburg

Sheriff

A supplemental appropriation in the amount of \$25,728 to replace a 2015 Ford Explorer that was totaled in an accident. Insurance proceeds in the amount of \$23,275 have been received. The remaining \$2,453 will be provided by the General Fund Reserve.

Supplemental Appropriation: \$25,728

\$25,728 GL Code: 1001-03102-00000-000-508005-000 Vehicles
 \$23,275 GL Code: 1001-00000-14101-000-341100-000 Insurance Recoveries
 \$2,453 GL Code: 1001-00000-15201-000-352000-000 General Fund Reserve

HARRISONBURG-ROCKINGHAM REGIONAL SEWER AUTHORITY (HRRSA)

Deputy Administrator King reported that following recent snowfall and subsequent rainfall, the sewer authority had major challenges with inflow and infiltration. The Sewer Authority is working with a consultant to identify the problematic locations. Deputy Administrator King pointed out that it is essentially up to member jurisdictions to ensure they are not contributing to the issues. Mr. King reported the County experienced one issue at a pump station near Lawyer Road, but he is confident that overall the County is not a significant contributor to the issue.

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CLOSED MEETING.

On motion by Supervisor Eberly, seconded by Supervisor Chandler and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board recessed the meeting from 4:37 p.m. to 4:58 p.m., for a closed meeting pursuant to 2.2-3711.A, (7), Consultation with legal counsel and staff members pertaining to actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County; and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

MOTION: SUPERVISOR EBERLY RESOLUTION NO: 16-5
SECOND: SUPERVISOR CHANDLER MEETING DATE: MARCH 9, 2016

CERTIFICATION OF CLOSED MEETING

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

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

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

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

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RECESS.

At 4:59 p.m., Chairman Kyger recessed the meeting for dinner.

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PUBLIC HEARING - SPECIAL-USE PERMIT.

At 6:00 p.m., Chairman Kyger opened the public hearing and Ms. Stultz reviewed the following special-use permit:

SUP16-047 Lisa S. Losh, 7693 Community Center Road, Bridgewater, 22812 for waivers to supplemental standards to increase the size of accessory dwelling from 656 sq. ft. to 924 sq. ft. and to increase distance between primary dwelling and accessory dwelling from 60' to 119.8' on property located on the east side of Community Center Road (Route 731) approximately 800' north of Nazarene Church Road (Route 750), Election District #4, zoned A-2. Tax Map #103-(4)-2A.

County Attorney Miller asked how many variance requests of this nature, involving accessory dwellings, have been requested since the new ordinance took effect. Ms. Stultz indicated she will look into it and report back to the Board. Mr. Miller said if waivers are requested regularly for this type of use, the Board may want to reevaluate the supplemental requirements associated with accessory dwellings. The Board concurred that staff should evaluate supplemental standards for accessory dwellings.

The applicant was present to answer questions.

No one spoke in opposition to the request.

Chairman Kyger closed the public hearing at 6:04 p.m.

On behalf of Chairman Kyger, on motion by Supervisor Eberly seconded by Supervisor Chandler and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board, with the following conditions, approved SUP16-047 Lisa S. Losh, 7693 Community Center Road, Bridgewater, 22812 for waivers to supplemental standards to increase the size of accessory dwelling from 656 sq. ft. to 924 sq. ft. and to increase distance between primary dwelling and accessory dwelling from 60' to 119.8' on property located on the east side of Community Center Road (Route 731) approximately 800' north of Nazarene Church Road (Route 750), Election District #4, zoned A-2. Tax Map #103-(4)-2A.

Conditions:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Residence shall comply with the Statewide Building Code and the proper permits shall be obtained.
3. The manufactured home shall be skirted, and the tongue shall be removed from the home or included in the skirting.
4. A request for Safe, Adequate and Proper review for use of the existing septic shall be submitted to and approved by the Health Department.
5. Residence shall not be occupied until such time as a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

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COMMITTEE APPOINTMENT.

On behalf of Chairman Kyger, on motion by Supervisor Chandler, seconded by Supervisor Breedon and carried by a vote of 5 to 0, voting recorded as follows: BREEDON - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board appointed Nathan Miller to replace James Crawford and fill the unexpired term for District 4 on the Economic Development Authority, with a term to expire on December 31, 2016.

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INTRODUCTION OF BOY SCOUT.

Will Grayson, a Montevideo Middle School seventh grade student, and a member of Boy Scout Troop 28, introduced himself to the Board. He explained that he is working toward earning his merit badge for citizenship in the community.

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ADJOURNMENT.

Chairman Kyger declared the meeting adjourned at 6:07 p.m.

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Chairman