

September 14, 2016

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, September 14, 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

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
KELLY S. GETZ, Code Compliance Officer
TAMELA S. GRAY, Deputy Clerk
JOSHUA W. DUNLAP, Assistant Residency Administrator
Virginia Department of Transportation
C. BURGESS LINDSEY, Assistant Residency Administrator
Virginia Department of Transportation

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CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE.

Chairman Kyger called the meeting to order at 3:06 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 Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER – AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board approved the minutes of the regular meeting of August 24, 2016.

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CONSIDERATION – RESOLUTION RECOGNIZING THE DAYTON RURITAN CLUB ON 75 YEARS OF SERVICE.

On motion by Supervisor Chandler, seconded by Supervisor Eberly, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER – AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board adopted the following resolution:

**RESOLUTION
HONORING THE DAYTON RURITAN CLUB**

WHEREAS, the Dayton Ruritan Club celebrates its 75th anniversary this year; and

WHEREAS, the Club was chartered September 30, 1941, with Joseph A. Kagey as the first president; and

WHEREAS, for seventy-five years, the Dayton Ruritan Club has faithfully strived to meet the high standards established by Ruritan National to make the Dayton community a better place to live and work; and

WHEREAS, the Ruritan Club, through its generous, civic-minded activities supports local non-profit agencies that provide crucial services to the citizens in and around Dayton, and provides financial aid and community service volunteer hours to address citizens’ needs; and

WHEREAS, the Ruritan Club supports local Police, and Fire and Rescue departments, and provides them with Ruritan “Rudy Bears” to comfort children who have suffered traumatic events; and

WHEREAS, the Ruritan Club supported the community by building two tennis courts next to Turner Ashby High School in Dayton in 1970, and adding metered lights in 1972; and

WHEREAS, the Club supports local students through high school scholarships and provides financial support for various student needs; and

WHEREAS, the Club has been involved in numerous projects to enhance the community, including cleaning along Route 257, supporting the Town's flower bed projects, and planting trees to honor club members.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Rockingham County that it does hereby recognize and congratulate the Dayton Ruritan Club as they celebrate their 75th anniversary.

Supervisor Eberly will present the Resolution to the Ruritan Club at the October 13, 2016 Dayton Ruritan Banquet.

Supervisor Eberly noted that Ruritan Clubs in Virginia do a great job of supporting the needs in their communities.

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TRANSPORTATION DEPARTMENT.

Assistant Residency Administrator Joshua Dunlap provided a report on the recent activities of the Transportation Department, which included updates on the Lee Highway/South Valley Pike (Route 11) bridge replacement and improvements to the South East Side Highway (Route 340) and Port Republic Road (Route 253) intersection.

Mr. Dunlap noted that paving work began on Mayland Road (Route 257). Night paving will commence on South East Side Highway (Route 340), and Blue and Gold Drive (Route 33 Business) in Elkton on Sunday, September 18, 2016.

The rural rustic project on Horeb Church Road (Route 732) is progressing with road widening, installing entrance pipes and laying back slopes. Stone will be applied in the next couple of weeks.

Mr. Dunlap reported that following the speed study on Port Republic Road (Route 253), it appears the speed will be reduced as motorists approach Port Village, and a cross walk will be installed. He informed Supervisor Chandler that VDOT is working on an estimate and developing a plan for Alumnae Drive (Route 331).

Supervisor Chandler asked whom to contact at James Madison University (JMU) regarding Alumnae Drive (Route 331). He noted neighbors are concerned about the construction of an amphitheater on property along Alumnae Drive, and increased traffic.

Administrator King suggested he contact the JMU representative on the Metropolitan Planning Organization Technical Advisory Committee.

Supervisor Chandler requested that VDOT cut approximately a three hundred feet section of overgrowth in front of East Lawn Memorial Gardens on Spotswood Trail (Route 33) that is obstructing the view for motorists.

In response to a question from Supervisor Cuevas regarding dust control, Mr. Dunlap indicated VDOT has received numerous calls and is applying water to reactivate the calcium on the roads. He suggested the Board members provide a list of roads they would like addressed. Supervisor Cuevas indicated he is glad to know VDOT is addressing the dust because it is a real issue for people living on or near a dirt road. He noted if funding is an issue, he would be in favor of the County providing a reasonable amount of financial assistance for VDOT to provide dust control.

Mr. Chandler requested dust control on Iron Horse Road (Route 994) near the river at the Augusta County line.

Chairman Kyger asked if during repaving roads and remarking lines, the painted lines can be shifted to obtain more room on the road shoulders for pedestrian, buggy and bicycle traffic. Mr. Dunlap indicated that would need to be determined on a case-by-case basis, depending on whether the current pavement is wide enough. Chairman Kyger said Dinkel Avenue (Route 257) is wide enough that a couple inches of additional pavement can be placed on the outside of the road each time it is repaved until the shoulder is a wide enough to accommodate pedestrians, buggies and bicycles.

Chairman Kyger indicated there have been a number of dust complaints from citizens west of Bridgewater, and asked that VDOT apply dust control on the roads that usually have dust issues. He noted the excessive dust might be due to weather conditions, which have also extended the growing season. He agreed with Supervisor Cuevas that the County may be able to provide funding to strategically help with dust control, as well as cutting overgrowth where it is creating safety issues.

Supervisor Cuevas asked that contractors marking roads avoid busy routes (Routes 33, 340 and 257) during certain hours to avoid heavy traffic creating long backups. He understands painting crews cannot pull off the road because the paint dries rapidly, but he asked that they move over to let traffic navigate past them when possible.

Administrator King indicated he forwarded emails to the Board members regarding removal of the traffic light at the intersection of Jim Britt Way and Spotswood Trail (Route 33), and replacement of a one-lane bridge on Lindale Road (Route 780) near Lindale Mennonite Church. The bridge replacement is necessary to accommodate the weight of school buses. Converting the bridge to a two-lane bridge could take five years. If VDOT performs the work in-house, construction can start in the fall of next year. Mr. Komara will discuss

these projects further at the September 28, 2016 meeting. Administrator King asked Board members to contact Mr. Komara or him with concerns about these projects.

In response to a question from Supervisor Cuevas, Mr. Dunlap said traffic signals can be changed by emergency vehicles with pre-emptive equipment. Chief Holloway noted ambulances and fire apparatus have pre-emptive equipment installed, but the codes on traffic lights in the County were changed and some units have not yet been updated to trigger the lights. Additionally, some of the updated units are not currently working correctly. Fire and Rescue is working to correct the issues. Administrator King confirmed with Chief Holloway that traffic lights with white strobes can be changed by emergency vehicles.

Chairman Kyger expressed concern about emergency vehicles navigating on Port Republic Road (Route 253). If Port Republic Road is widened in the future, he said a dedicated fire lane should be considered from Interstate 81 to Sentara RMH Hospital due to congestion in the area.

In response to a question from Chairman Kyger, Chief Holloway confirmed state law requires motorists to move over for emergency vehicles. Motorists who do not move over can be ticketed.

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**STATE PERFORMANCE CONTRACT – HARRISONBURG-ROCKINGHAM
COMMUNITY SERVICES BOARD.**

Ellen D. Harrison, Executive Director, Harrisonburg-Rockingham Community Services Board (HRCSB), explained that the Department of Behavioral Health and Developmental Services proffers a contract with all the Community Services Boards in Virginia biannually. She briefly highlighted the Fiscal Year 2017 State Performance Contract previously provided to the Board.

Ms. Harrison noted the HRCSB has been serving the community 44 years. They provide mental health, substance abuse and developmental disability services for citizens in Harrisonburg and Rockingham County from birth to the end of life, regardless of the citizen's ability to pay. In the last year, the HRCSB averaged 97 new intakes per month and served 4,000 individuals during the year, some of whom receive more than one service from the CSB. One-third of the people they served last year were children. The HRCSB has 200 employees.

She provided the Board with HRCSB's first annual published report. Ms. Harrison highlighted some of the services that were new to the community last year, including services in the schools, jail, and Sentara RMH emergency department. The CSB started two mobile crisis units in the community: a children's unit with two mental health clinicians, and an adult unit with a mental health clinician and law enforcement officer.

Ms. Harrison expressed appreciation to the Board for their financial support, indicating 11 percent of the HRCSB's funding is provided by the City and County.

Chairman Kyger stated the Board appreciates the services provided by the HRCSB and he is glad to see more outreach with children's services. He said the proper intervention, care and nurturing of children in crisis makes a big difference, and noted the school environment is often a safer place for children to react to crisis situations.

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 endorsed the Fiscal Year 2017 State Performance Contract for the Harrisonburg-Rockingham Community Services Board.

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COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Administrator King's staff report dated September 9, 2016.

Following a discussion regarding the County observing the State's 2016 holiday calendar, which includes an additional half day on November 23, 2016, and a full day on December 23, 2016, as provided by the Governor, the Board agreed that the County will observe the additional State holidays this year.

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COUNTY ATTORNEY'S STAFF REPORT.

Mr. Miller indicated Virginia Code Section 58.1-3275 requires that the local governing body appoint a qualified real estate assessor prior to the real estate reassessment. He noted that Commissioner of the Revenue Lowell R. Barb has agreed to serve as the assessor for the upcoming 2018 real estate reassessment.

On motion by Supervisor Breeden, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board appointed Lowell R. Barb to serve as the real estate assessor for the 2018 real estate reassessment.

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ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.

Mr. Anas announced that the Virginia Tourism Corporation released 2015 data from the U.S. Travel Association on tourism dollars in the Commonwealth. Rockingham County domestic travel generated \$198,000 million in travel expenditures, supported over 2,000 jobs and provided nearly \$13 million in state and local taxes. Rockingham County was ranked seventh overall of Virginia localities with a 6.8 percent growth in state tax receipts and 6.5 percent growth in local tax receipts. The report indicates Rockingham County is currently experiencing the highest growth among its 13 Shenandoah Valley tourism partners.

He noted the new tourism website will be launched soon.

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FINANCE DIRECTOR'S STAFF REPORT.

The Board received and reviewed Ms. Davidson's staff report dated September 14, 2016.

On motion by Supervisor Breeden, seconded by Supervisor Eberly, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER – AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board waived the Economic Development Grant personnel requirement for year one for a grantee in the Mt. Crawford Technology Zone, and approved payment to the grantee.

On motion by Supervisor Breeden, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER – AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board approved the low bid of \$57,080 for wood, waste and stump grinding from Medek Tree Services; and authorized staff to initiate a contract with Medek Tree Services to provide grinding services at the landfill. The funds are in the FY17 budget.

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HUMAN RESOURCES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Mongold's staff report dated September 14, 2016.

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Hertzler's staff report dated September 14, 2016.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's staff report dated September 14, 2016.

Mr. Armstrong noted the Building Official was asked to inspect a potential dilapidated poultry house structure on Phillips Store Road (Route 619) in District 1. The Building Official inspected the structure and determined it should be declared dilapidated.

Supervisor Cuevas indicated the poultry house has not been in operation for some time, is falling apart and is unsafe.

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 found the structure at 11475 Phillips Store Road, Broadway, Virginia dilapidated and authorized the Building Official to take such steps as necessary to have the structure removed in accordance with Section 6-6 of the Rockingham County Code.

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TECHNOLOGY DIRECTOR'S STAFF REPORT.

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

Mrs. Perry reported that wiring is being installed for video conferencing equipment in the courts. The video equipment should arrive soon and the installation will be completed within two weeks. She noted the State will install the video conferencing equipment in one courtroom.

In response to a comment from Chairman Kyger, Mrs. Perry noted the City recently entered a contract with Shentel for fiber optic cable, which includes a dark fiber run to the County Administration building. This will allow additional ability for disaster recovery between the County and City, ability to run the Virtual Private Network (VPN) for the Computer-Aided Design (CAD) and Geographic Information System (GIS) updates. The Shentel contract is a cooperative agreement that the County will consider when the current contracts expire.

Mrs. Perry noted Technology plans to replace the Board members' IPADs prior to the September 28, 2016 meeting.

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FIRE AND RESCUE CHIEF'S STAFF REPORT.

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

Chief Holloway indicated Fire and Rescue provided a recruitment area at the Rockingham County Fair to receive employment applications and recruit volunteers.

The Fire and Rescue staff report included photographs of the East Rockingham Emergency Response Station. Chief Holloway reported that fire and rescue, public works and utility personnel hung the siding, which saved \$8 to \$10 thousand. He expressed appreciation for the assistance from public works and utilities staff.

Administrator King interjected that the siding is HardiePlank rather than vinyl, which is more durable and fire resistant.

Administrator King indicated there is \$584,000 in the FY17 budget to purchase equipment for Fire and Rescue. Staff discussed the needs with the Finance Committee and would like to purchase a 2017 Sutphen Monarch fire truck, utilizing the Houston-Galveston Area Council (H-GAC) national contract, for an amount not to exceed the budgeted funds.

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 instructed the County Administrator and Fire and Rescue Chief to proceed with the purchase of a 2017 Sutphen Monarch fire truck for an amount not to exceed the budgeted funds.

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PARKS & RECREATION DIRECTOR'S STAFF REPORT.

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

She reported that the Fall Recreation brochure was mailed to households on September 10, 2016.

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COURT SERVICES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Freeman's staff report dated September 9, 2016.

In response to a question from Chairman Kyger, Mrs. Freeman indicated the litter control program picked up trash at Blue Hole on September 9, 2016.

Chairman Kyger commended the Sheriff's Deputies for the masterful way they defused an intense situation at Blue Hole, and how they deal with people on Route 33 and at the swimming hole, as well as the local residents in that area.

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COMMITTEE REPORTS.

The Board heard committee reports from Board members and staff.

AUTOMOBILE

Supervisor Chandler indicated Public Works requested the purchase of a ¾ ton, extended cab chassis only, 4 x 4, gas pickup truck for use by the County's road sign installation crew. Funds to purchase the truck are included in the FY 17 Public Works Administration budget. The following bids were received:

Vendor	Price
Myers Ford, Elkton	\$25,796
Hall Automotive, Virginia Beach	\$25,944
Dick Myers, Harrisonburg	\$28,250
Steven Toyota, Harrisonburg	No bid
Joe Bowman, Harrisonburg	No bid

On behalf of the Automobile Committee, 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 authorized the purchase of a 2017 Super Duty F-250 XL Ford pickup truck from the low bidder, Myers Ford, Elkton, for \$25,796, with funds from the Public Works Administration budget.

COMMUNITY CRIMINAL JUSTICE BOARD

Chairman Kyger indicated the Community Criminal Justice Board (CCJB) met, sub-committees are at work, and programs are continuing to move forward. The next formal CCJB meeting will be held in January 2017. A meeting may be scheduled for NACo representatives

to present information regarding work they have been doing in the criminal justice area; CCJB Board members, the Board of Supervisors and City Council will be invited to attend.

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:

FY2015-2016 Supplemental Appropriations

1. School Textbook Fund

A supplemental appropriation in the amount of \$127,588 for the School Textbook Fund. The School Textbook Fund will close as of June 30, 2016. In order for the closure of the accounts, the supplemental is required. No local funding is required.

Supplemental Appropriation: \$127,588

\$127,588	GL Code: 2203-65210-00000-982-609512-000	Transfer to School Operating
\$127,588	GL Code: 2203-00000-25201-000-440091-000	School Text Book: Fund
		Balance

2. Sheriff Asset Forfeiture

A supplemental appropriation in the amount of \$1,100 for the Sheriff Asset Forfeiture Fund. This supplemental will increase the budget to cover expenses during the fiscal year. Funding is provided by the Federal Asset Forfeiture program with no local funding required.

Supplemental Appropriation: \$1,100

\$1,100	GL Code: 1211-03507-10333-000-506065-000	Sheriff: Asset Forfeiture
\$1,100	GL Code: 1211-00000-13900-000-337100-000	Federal Asset Forfeiture

FY2016-2017 Supplemental Appropriations

GENERAL FUND

Fire/EMS Department

A supplemental appropriation in the amount of \$747,068 for the acceptance of the Assistance to Firefighters Grant (AFG) from the Department of Homeland Security in the amount of \$679,153. The grant requires a 10 percent local match of \$67,915 for a total of \$747,068.

Supplemental Appropriation: \$747,068

\$747,068	GL Code: 1001-03202-10363-000-506065-000	Volunteer Fire Companies: Minor Equipment
\$679,153	GL Code: 1001-00000-13900-000-333421-000	AFG Department of Homeland Security
\$67,915	GL Code: 1001-00000-15201-000-352000-000	General Fund Reserve

FY2016-2017 Supplemental Appropriation

Harrisonburg-Rockingham Social Services District

A supplemental appropriation in the amount of \$2,427 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: \$2,427

\$2,427	GL Code: 1220-05337-10300-000-503109-000	Other Professional Services
\$2,427	GL Code: 1220-00000-12404-000-324987-000	VJCCCA

Ms. Davidson reported that the Finance Committee recommended designating approximately \$1 million for school HVAC repairs, according to a prioritized list provided by School Facilities. Ms. Davidson requested permission to designate \$1 million for the necessary HVAC repairs and allow Schools to move forward with the repairs. She indicated a supplemental appropriation will be submitted to the Board for approval on September 28, 2016.

On behalf of the Finance Committee, Supervisor Cuevas made a motion that \$1 million be designated for school HVAC repairs with the condition that the School Administration will

work with the County Administrator and County Director of Finance regarding specific details of where funds will be spent. If the projects amount to less than \$1 million, the excess funds will be returned to the general fund. If the projects cost more than \$1 million, staff shall provide a recommendation for the Board to consider the additional funding.

Supervisor Breeden seconded the motion.

Supervisor Cuevas explained the HVAC equipment is not in good operational condition and it is best to make the repairs now than have to close the schools to make emergency repairs later.

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 designating \$1 million for necessary school HVAC repairs, with the condition that the School Administration will work with the County Administrator and County Director of Finance regarding details of where funds will be spent; excess funds will be returned to the general fund. If additional funding is needed, staff shall request Board approval for that funding.

The shortfall in State revenues has prompted the State to temporarily remove funding for the two percent salary increase for schools statewide. When the announcement was made by the State, discussions were held with the School Superintendent and School Finance Director regarding how the funds would be made up. The decision was made to delay the purchase of school buses from the school operating funds in order to cover the reduction in state revenue.

On behalf of the Finance Committee, Supervisor Cuevas made a motion, seconded by Supervisor Breeden to allow the school division to continue with the purchase of school buses, as planned. Once the State finalizes the budget, funds will be appropriated to cover the shortage to provide for the two percent salary increase (an estimated \$480,000).

Chairman Kyger made the following statement:

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

4. I am able to participate in the transactions fairly, objectively, and in the public interest.

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 returning up to \$480,000 from the general fund for Schools to supplement the bus replacement schedule, with the condition that any excess amount will be returned to the general fund if the State provides funding for all or part of the two percent pay increase.

Supervisor Cuevas indicated the amounts and details are to be reviewed by the County Administrator and Director of Finance.

Supervisor Chandler asked when the State will inform local jurisdictions if they will fund all or part of the two percent pay increase for school employees.

Administrator King said the State will not make a decision before January. Supervisor Cuevas indicated the State will wait until they can accurately project revenue from state taxes.

HARRISONBURG-ROCKINGHAM METROPOLITAN PLANNING ORGANIZATION (MPO)

Supervisor Chandler reported a public meeting was held regarding bicycle and pedestrian paths. He appreciated the positive comments from the community.

Chairman Kyger indicated he was pleased to see a large number of attendees from the Old Order Mennonite community to provide input regarding Rawley Pike (Route 33 West). Supervisor Eberly indicated he encouraged the community to attend.

MASSANUTTEN REGIONAL LIBRARY

Supervisor Chandler noted the finance committee met with the auditors and received a favorable report.

SHENANDOAH VALLEY PARTNERSHIP (SVP)

Mr. Anas announced that a three-day connect event with site selection consultants from around the country will begin this evening. He indicated 200 people registered for the event.

VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Chairman Kyger reminded the Board of the upcoming Annual VACo Conference in Bath County.

CHAIRMAN

Chairman Kyger expressed appreciation to the Board for their hard work and support.

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COMMITTEE APPOINTMENTS.

On motion by Supervisor Breeden, 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 appointed Steven Pence to represent District 5 on the Planning Commission for a term to expire August 31, 2020.

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CLOSED MEETING.

On motion by Supervisor Chandler, seconded by Supervisor Breeden, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board recessed the meeting from 4:11 p.m. to 4:35 p.m., for a closed meeting pursuant to 2.2-3711. (3), Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; (5), Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community and (7), Consultation with legal counsel and staff members pertaining to actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County; and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

MOTION: SUPERVISOR BREEDEN RESOLUTION NO: 16-11
SECOND: SUPERVISOR CUEVAS MEETING DATE: SEPTEMBER 14, 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:

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RECESS.

At 4:36 p.m., Chairman Kyger recessed the meeting for Board members and staff to attend the Shenandoah Valley Partnership connect event.

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PUBLIC HEARING - SPECIAL-USE PERMT.

At 6:05 p.m., Chairman Kyger opened the public hearing and Mr. Getz reviewed the following request.

SUP16-214 David Showalter, 5861 Gray Squirrel Lane, Dayton 22821 for Agriculture related business, not otherwise listed (fencing business) and a seed and feed business on property located on the northeast side of Coakley Town Road (Route 732) along Gray Squirrel Lane (private), Election District #2, zoned A-1 and A-2. Tax map # 106-(A)-L136, L137, L 136B. Property address 5861 Gray Squirrel Lane

The request is a result of a zoning violation.

The applicant was present.

No one spoke regarding the request.

Chairman Kyger closed the public hearing at 6:10 p.m.

Supervisor Eberly stated that he visited the site when the fencing business started. The use fits in with the area and surrounding operations.

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 SUP-214, David Showalter, 5861 Gray Squirrel Lane, Dayton 22821 for Agriculture related business, not otherwise listed (fencing business) and a seed and feed business on property located on the northeast side of Coakley Town Road (Route 732) along Gray Squirrel Lane (private), Election District #2, zoned A-1 and A-2. Tax map # 106-(A)-L136, L137, L 136B. Property address 5861 Gray Squirrel Lane

CONDITIONS:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Buildings shall comply with the Statewide Building Code and the proper permits shall be obtained for a change of use for the existing buildings used by the business.
3. North and east lot lines of tax parcel 106-(A)- L136B shall be vacated and parcel joined to parcel 106-(A)- L136.
4. Approval is contingent upon septic approval issued by the Health Department. Copy of said permit shall be submitted to the Department of Community Development prior to obtaining building permits.
5. VDOT requires a platted sight line easement over private property on the west side of Coakley Town Road (Route 732) before a commercial entrance can be approved. Copy of entrance permit shall be submitted to the Department of Community Development prior to the issuance of building permits.
6. Hours of operation shall be from 8:30 a.m. to 5:00 p.m., Monday through Friday, with Saturday hours by appointment.
7. Total building area for business shall not exceed two thousand five hundred (2,500) square feet.
8. 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.
9. There shall be no lighted signs.

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INTRODUCTION OF STUDENTS.

Students from Turner Ashby High School introduced themselves to the Board.

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CLOSED MEETING.

On motion by Supervisor Chandler, seconded by Supervisor Eberly, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board recessed the meeting from 6:14 p.m. to 6:47 p.m., for a closed meeting pursuant to 2.2-3711. (3), Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

MOTION: SUPERVISOR EBERLY RESOLUTION NO: 16-12
SECOND: SUPERVISOR CHANDLER MEETING DATE: SEPTEMBER 14, 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:

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ADJOURNMENT.

Chairman Kyger declared the meeting adjourned at 6:48 p.m.

_____,
Chairman