

February 27, 2019

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, February 27, 2019, at 6:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

- PABLO CUEVAS, Election District #1
- SALLIE WOLFE-GARRISON, Election District #2
- RICK 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
- CASEY B. ARMSTRONG, Assistant County Administrator
- PATRICIA D. DAVIDSON, Director of Finance
- PHILIP S. RHODES, Director of Public Works
- RHONDA H. COOPER, Deputy Director of Community Development
- BRADFORD R. R. DYJAK, Director of Planning
- JESSICA G. KILBY, Deputy Clerk
- DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation

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

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

Chairman Breeden gave the Invocation and Director of Public Works Rhodes led the Pledge of Allegiance.

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INTRODUCTION OF STUDENTS.

Students from Spotswood and East Rockingham high schools introduced themselves to the board.

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APPROVAL OF MINUTES.

On motion by Supervisor Chandler, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board approved the minutes of the regular meeting of February 13, 2019.

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TRANSPORTATION DEPARTMENT.

The Board heard Mr. Komara’s report on the activities of the Transportation Department, including updates to bridge, road and rural rustic projects. He also reminded staff of a public hearing for the Friedens Church Road (Route 682) project, which will be held on March 20, 2019, from 4 to 6 p.m. at Turner Ashby High School.

Recent maintenance included snow and ice watch and control, brush cutting and spot grading roads.

Supervisor Kyger reminded VDOT to check the bank erosion at the bridge on Community Center Road (Route 730) in Briery Branch.

Supervisor Chandler brought attention to an area on South East Side Highway (Route 340), near the Quick Stop, where he said school bus stop signs should be mounted. He explained that there have been several near-accidents in that location, as a result of northbound traffic being unaware of the bus stop until they crest the top of the hill. Supervisor Chandler indicated several children load and unload at that stop and said it remains unsafe. Additionally, he mentioned there are numerous potholes on Indian Trail Road (Route 717).

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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 the 2017-2018 Annual Report and highlighted enrollment figures for the past year. Last fall, of the 4,129 students who enrolled in credit programs, 1,027 were County residents. Additionally, 182 County residents enrolled in noncredit, workforce and personal enrichment courses.

Dr. Downey reported that the College’s new parking deck was completed this past year, which helped to alleviate parking issues on campus. He was excited to announce the Bioscience building is projected to open this fall, which will house the Nursing, Paramedic, and Bioscience programs.

He pointed out that *Colliers International* named the Shenandoah Valley as one of the top ten emerging industrial markets in the Country. Dr. Downey stated that Blue Ridge Community College, along with Rockingham County Public Schools and Massanutten Technical Center continue to provide local youth with life-changing career options to meet local needs. 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.

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50thANNIVERSARY OF THE CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION.

Administrator King read the following resolution:

RESOLUTION

**Commending the
Central Shenandoah Planning District Commission
On Its 50th Anniversary**

WHEREAS, in 1966, the General Assembly created the Metropolitan Areas Study Commission (the Hahn Commission), which found that a holistic approach to solving local and regional problems needed to be taken, and recommended a new concept, the creation of Planning District Commissions (PDCs); and

WHEREAS, the Virginia Area Development Act, passed in 1968, created the PDC framework “to encourage and facilitate local government cooperation and state-local cooperation in addressing on a regional basis problems of greater than local significance;” and

WHEREAS, following passage of this Act, the State undertook an aggressive effort to establish PDC boundaries, and by 1969, the final district boundaries were announced; and

WHEREAS, on October 1, 1969, the Central Shenandoah Planning District Commission (CSPDC) was established and includes the counties of Augusta, Bath, Highland, Rockbridge, and Rockingham, the cities of Buena Vista, Harrisonburg, Lexington, Staunton, and Waynesboro, and 11 incorporated towns; and

WHEREAS, in 2019, the CSPDC is celebrating 50 years of promoting and supporting regional collaboration; and

WHEREAS, the CSPDC serves to foster intergovernmental cooperation by bringing together elected and appointed officials and citizens to discuss common needs and develop solutions to regional issues; and

WHEREAS, over the years, the CSPDC has conducted studies and identified solutions in the areas of transportation, economic development, infrastructure, housing, the environment, disaster education and mitigation, and community development, among many others; and

WHEREAS, the CSPDC also implements services and provides technical assistance to its member local governments; and

WHEREAS, the CSPDC often serves as a liaison between local and state governments, partnering with the State to carry out state initiatives at the local and regional level; and

WHEREAS, most recently, the CSPDC has been instrumental in bringing in over \$66 million in new investments to the region. For every dollar the CSPDC receives in local dues, it has leveraged \$36 in average in state and federal funds; and

WHEREAS, the CSPDC is committed to promoting opportunities for regional collaboration and expanding the types of services they provide to their member governments; and

WHEREAS, the CSPDC takes great pride in their history and accomplishments, while recognizing the importance of looking ahead to the challenges of the future; and

NOW, THEREFORE, BE IT RESOLVED, the Rockingham County Board of Supervisors hereby commends the CSPDC on the occasion of their 50th Anniversary and expresses its appreciation for the vital support provided by the CSPDC to each of its member jurisdictions and the region.

Adopted this 27th day of February, 2019.

On motion by Supervisor Chandler, seconded by Supervisor Wolfe-Garrison, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board adopted the resolution commending the Central Shenandoah Planning District Commission on its 50th Anniversary.

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COUNTY ADMINISTRATOR'S STAFF REPORT.

On motion by Supervisor Kyger, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board appointed Fire and Rescue Chief Holloway to serve as the County’s representative on the Central Shenandoah Planning District Commission’s Biohazard Steering Committee and appointed Deputy Chief Jeff Michael to serve as the alternate.

Administrator King reported that renovations on the first floor of the Administration building are expected to be complete by mid-March. He said pricing for the renovations to the second floor of the General District Courts building are in the works and will likely be presented to the Board on March 13, 2019. The goal is to complete the second floor renovations by July 1, 2019, in order to provide court room space and offices for newly-appointed Juvenile and Domestic Relations District Court Judge Rachel E. Figura. The renovations to the first floor of the General District Courts building require more engineering design and will occur later.

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COUNTY ATTORNEY’S STAFF REPORT.

County Attorney Miller stated that the title company for the purchaser of certain real estate in front of Rockingham Park at the Crossroads requested a formal written approval of the purchase agreement. Per their request, County Attorney Miller and the purchaser’s attorney drafted a resolution to memorialize the purchase agreement, which was negotiated in November of 2018 and approved by the Board.

On motion by Supervisor Chandler, seconded by Supervisor Kyger, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board approved the following resolution:

**RESOLUTION APPROVING THE SALE OF CERTAIN COUNTY OWNED
COMMERCIAL REAL ESTATE,
KNOWN AS TAX MAP PARCEL 126-(2)-LA4A,
TO PARKSIDE PLAZA, LLC**

WHEREAS, Rockingham County, Virginia, owns that certain lot or parcel of land, containing 10.808 acres, more or less, herein referred to as the Property, situate in Central District, Rockingham County, Virginia, containing 10.808 acres, more or less, located on the east side of Spotswood Trail (U.S. Route 33), just northwest of its intersection with Indian Trail Road (Route 620), together with the improvements thereon, and all rights, privileges, appurtenances, easements and rights of way thereunto belonging or in anywise appertaining, identified as the “NEW AREA: 10.808 ACRES PORTION OF ROCKINGHAM COUNTY, VIRGINIA”, pursuant to a division survey made by Hal T. Benner, Land Surveyor, dated January 10, 2018, a plat of which division survey, with metes and bounds description, is recorded in the Clerk’s Office of the Circuit Court of Rockingham County, Virginia, (the Clerk’s Office) in Deed Book 4972, at Page 98 (the Plat); and

WHEREAS, the Property is also known as tax map parcel 126-(2)-LA4A; and

WHEREAS, the Board of Supervisors of Rockingham County, Virginia, held a public hearing pursuant to Section 15.2-1800B of the Code of Virginia (1950), as amended, on July 10, 2013, and, after receiving public comment, authorized the sale of the Property; and

WHEREAS, the Property having been duly marketed by Rockingham County and a contract of sale having been negotiated with Parkside Plaza, LLC;

NOW, THEREFORE, BE IT RESOLVED that the sale of the Property pursuant to that certain Contract for the Sale of Commercial Real Estate, dated November 29, 2018, by and between Rockingham County, a political subdivision of the Commonwealth of Virginia, and Parkside Plaza, LLC, a Virginia limited liability company, is approved.

Approved by the Board of Supervisors of Rockingham County, Virginia, this 27th day of February, 2019.

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ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's Community Development and Economic Development staff reports dated February 27, 2019. Mr. Armstrong reminded staff of the Farm 2 Fork Affair on Tuesday, March 5, 2019, from 11 a.m. to 4 p.m., at the Rockingham County Fairgrounds.

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FINANCE DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Davidson's staff report dated February 22, 2019.

On motion by Supervisor Cuevas, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board declared the following items surplus:

Items to Declare Surplus – March 2018

Description	Quantity
Iphones	280
Items to Discard	
Desk Chair	1
Wireless Access Points-Lot 6	1
Wireless Access Points-Lot 22	1

Mrs. Davidson reviewed two change orders provided by Partners Excavating for work at Rockingham Park at the Crossroads. She reviewed the work necessitating the change orders and pointed out that the work has already been budgeted in the Park's capital project budget. Additionally, Mrs. Davison informed the Board that Partners reduced the current contract by \$55,482 for BMP liners and mulch that will not be needed.

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; KYGER – AYE; WOLFE-GARRISON – AYE; the Board authorized the County Administrator to execute the following contract change orders with Partners Excavating for work at Rockingham Park at the Crossroads:

- 1) A change order in the amount of \$84,300 for additional work required to complete the rear entrance from Indian Trail Road;
- 2) A change order in the amount of \$148,916 to finish the existing gravel parking lot located below the ball fields and to install surface asphalt on the road from the roundabout to the cul-de-sac.

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COMMITTEE REPORTS.

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

COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)

Supervisor Chandler reported the next CCJB meeting is scheduled for March 4, 2019, at 4 p.m., at the City Municipal Building.

VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Supervisor Kyger reported that he will attend the National Association of Counties (NACo) Legislative Conference in Washington, D.C. beginning on March 2, 2019. While there, he intends to seek information on the upcoming 2020 Census, as it may be the first census to allow digital responses via the internet in some rural locations. Supervisor Kyger emphasized the importance of the census results, as every ten years those population figures guide the distribution of federal funding to localities. He said, if results are based on voluntary digital reporting in rural areas, the County may want to partner with surrounding localities to obtain accurate population figures in order to safeguard funding.

OTHER

Supervisor Chandler shared a letter from Delegate R. Steven Landes expressing appreciation to the County for its resolution and support of the I-81 Corridor Improvement Plan.

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RECESS.

Chairman Breedon recessed the meeting at 6:32 p.m., noting the public hearing will begin at 7:00 p.m.

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PUBLIC HEARING – REZONING.

At 7:00 p.m., Chairman Breedon opened the public hearing and Director of Planning Dyjak reviewed the following rezoning request:

REZ19-004 Bill Neff, 3570 N. Valley Pike, Harrisonburg, VA 22802 to rezone the southern 17.453-acre portion of a 32.759-acre parcel on the west side of Kratzer Road (Route 753) at its intersection with Pulses Hill Lane (Route 908) from A-2 (General Agricultural) zoning district to I-1C (Industrial) district with conditions. Designated in the Comprehensive Plan as Industrial in the Urban Growth Area, Tax Map Parcel #94-(A)-L110, Election District #2.

After reviewing the request, Planning Director Dyjak indicated that, based upon the proposed use, the applicant's proffers, and agency comments, staff recommends approval. The Planning Commission recommended approval on February 5, 2019.

In response to a question from Supervisor Wolfe-Garrison, Mr. Dyjak indicated there will only be three industrial access points to the southern 17.453-acre portion of the parcel.

Applicant Bill Neff was available for questions. Mr. Neff indicated this request extends the amount of previously-rezoned property from agricultural to industrial. Related to entrances, he pointed out that safety is and has always been a priority. Mr. Neff commended the County's planning staff for the manner in which they have worked with him and his son during the process.

No one spoke in opposition to the request.

Chairman Breeden closed the public hearing at 7:15 p.m.

Supervisor Wolfe-Garrison reported that she met with planning staff and the applicant for a lengthy review. With the applicant's proffer statement and with the understanding that the applicant will work closely with VDOT to ensure entrances are safe, she motioned for approval.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Cuevas, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board, subject to the following proffer statement, approved REZ19-004, Bill Neff, 3570 N. Valley Pike, Harrisonburg, VA 22802 to rezone the southern 17.453-acre portion of a 32.759-acre parcel on the west side of Kratzer Road (Route 753) at its intersection with Pulses Hill Lane (Route 908) from A-2 (General Agricultural) zoning district to I-1C (Industrial) district with conditions. Tax Map Parcel #94-(A)-L110, Election District #2.

**Proffer Statement: Case #REZ19-004
Southern 17.453-acre portion of Tax Map Parcel # #94-(A)-L110**

I, Bill V. Neff, hereby proffer that the use and development of this property shall be in strict accordance with the following conditions:

1. A 20'-wide strip of land running the length of the property along Kratzer Road will be dedicated to public use and will be shown on the subdivision plat.
2. There shall be no more than six (6) lots created including the residual parcel containing the existing home site which will remain zoned A2- General Agriculture.
3. There shall be ten (10) or fewer employees per shift per rezoned parcel.
4. The uses on this property shall be limited to:
 - a. Agricultural research facility
 - b. Biomass conversion facility
 - c. Contractor's operation
 - d. Metal-working facility
 - e. Millwork operation
 - f. Recycling center
 - g. Warehouse

- h. Motor vehicle tow service (*not an impound lot or automobile graveyard*)
- i. Recreational vehicle storage area
- j. Car wash
- k. Public safety facility
- l. Carpet and rug cleaning service
- m. Electronic data storage or processing center
- n. Mail service
- o. Mini-storage
- p. Office
- q. Machinery and equipment center
- r. Water storage tank
- s. Motor vehicle repair shop and sales lot

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ADJOURNMENT.

Chairman Breeden declared the meeting adjourned at 7:16 p.m.

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Chairman