

June 14, 2017

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, June 14, 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
- WILLIAM B. KYGER, JR., Election District #4
- MICHAEL A. BREEDEN, Election District #5

Also present:

ELLEN D. HARRISON, Executive Director of the Community Services Board

- 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
- CELEST D. WILLIAMS, Director of Social Services
- RHONDA H. COOPER, Director of Planning
- JAMES B. MAY, Senior Planner
- DIANA C. STULTZ, Zoning Administrator
- TAMELA S. GRAY, Deputy Clerk
- CAROLYN F. BERRY, Administrative Assistant
- DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation
- C. BURGESS LINDSEY, Assistant Residency Administrator
Virginia Department of Transportation
- MAURICIO CAMPOS, Engineer Trainee
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 Kyger gave the Invocation and County Administrator King led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

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 approved the minutes of the regular meeting of May 24, 2017.

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CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING.

Mrs. Davidson explained that the Government Financial Officers Association (GFOA) gives an award for excellence in financial reporting on an annual basis, and the County has received the award for the last 35 years. She recognized finance department staff who ensure proper internal controls and procedures are followed so that the County continues to receive the GFOA Excellence in Financial Reporting award. Mrs. Davidson indicated Senior Accountant Angie Hernandez puts a lot of work into compiling the data each year.

Administrator King presented a certificate from the Government Financial Officers Association to Mrs. Davidson. He said the award reaffirms the exceptional work of the finance department staff, who would consider it a failure if they did not receive the annual award.

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RECOGNITION – DR. CAROL S. FENN, ROCKINGHAM COUNTY PUBLIC SCHOOLS SUPERINTENDENT.

Administrator King read the following resolution honoring Dr. Carol S. Fenn, Rockingham County Public Schools Superintendent.

RESOLUTION

WHEREAS, in the Fall of 2007, Dr. Carol S. Fenn began her service with Rockingham County Schools; beginning a tenure that would see her serve our community as division superintendent for ten years. Dr. Fenn is the first female superintendent of Rockingham County Schools, and one of the longest serving current division superintendents in the region; and

WHEREAS, before coming to Rockingham County, Dr. Fenn had been a teacher, reading specialist, assistant principal, principal, director of K-12 instruction, assistant superintendent of personnel, and interim superintendent; and

WHEREAS, Dr. Fenn during her tenure with the County Schools, worked with many School Board members, members of the Board of Supervisors, County and school staff, who have come to know her as a dedicated administrator with a deep commitment to our students, staff and community, tirelessly leading 25 schools, 11,300 students, and 2,500 employees; and

WHEREAS, in addition to managing the district budget of more than \$131 million, during strained economic times and the loss of state funds which resulted in a reduction of over 100 employees through attrition, Dr. Fenn protected all jobs division-wide, and oversaw a county-wide school redistricting plan, the construction of three new schools, and the implementation of Digital Conversion, a comprehensive five-year plan to provide for digital learning resources to students and staff, all of which were made possible through successful partnering with the School Board and local government leaders; and

WHEREAS, her leadership provided innovative and exceptional education to all students as evident in the many division accomplishments during her tenure, implementing science, technology, engineering, and mathematics curricula throughout the district, including at the elementary level, and Dr. Fenn introduced courses in agricultural science, equine science, and biotechnology; and

WHEREAS, the County School Division, under Dr. Fenn's tutelage, earned numerous awards and accolades, including National Schools To Watch designation for two middle schools, Elkton and Montevideo, recognitions by U.S. News and World Report for all county high schools named among the top 45 Virginia county high schools, the College Board's AP Honor Roll, and the Governor's Virginia Index of Performance, and

WHEREAS, Dr. Fenn, a loyal, committed and dedicated public servant, has assisted in the advancement of public education in the Commonwealth through her role in organizations such as the Virginia School Boards Association, Virginia Association of School Superintendents, Virginia High School League, the Shenandoah Valley Chapter of Delta Kappa Gamma, Rockingham County Rotary and the United Way Board of Harrisonburg and Rockingham County; and

WHEREAS, Dr. Fenn will retire as Division Superintendent for Rockingham County Schools on June 30, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors does hereby recognize and congratulate Dr. Fenn as she celebrates her retirement, thanks her for the many contributions to help build the quality education system which makes Rockingham County a great place to live, work and raise a family, and wishes her well in the coming years.

On motion by Supervisor Kyger, 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 resolution recognizing Dr. Carol S. Fenn on her retirement.

Chairman Chandler presented a framed resolution to Dr. Fenn.

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SHENANDOAH NATIONAL PARK.

Jennifer Flynn, Shenandoah National Park Superintendent, updated the Board on the activities of the Shenandoah National Park. She was named as the Park Superintendent in January 2017, after serving as Deputy Superintendent of Shenandoah National Park since November 2009.

Ms. Flynn reported visitation increased 8.3% from 2015 to 1.45 million visitors in 2016, due to the Park's centennial celebration and excellent weather in Virginia. The National Park Service conducts an annual study of the economic benefit of national parks to communities surrounding the parks. Shenandoah National Park continues to be a huge economic engine for the region with the latest study indicating park visitors spend over 96.2 million dollars in surrounding communities within 50 miles of the park boundary. That spending supported more than 1,300 jobs, 300 of which were in the park.

Ms. Flynn noted community relations are good, pointing out several organizations that help the park maintain communication and relations with surrounding communities. The Celebrate Shenandoah group provides an opportunity for communities adjacent to the park to come together and use the park to drive tourism and marketing. The branding and promotion subcommittee is working on a website to provide information for visitors to the region, and a land use subcommittee is trying to develop a tool kit for communities to use in planning.

The Blue Ridge Committee for Shenandoah Park Relations meets semi-annually and continues to work on improving relations with local communities. It provides an opportunity to communicate what is transpiring in the park, and for communities to provide input regarding how the park can be a better neighbor. Ms. Flynn noted that

Supervisor Breeden serves on the Blue Ridge Committee for Shenandoah Park Relations, as well as Ms. Cooper who serves as chair.

She noted the Blue Ridge Heritage Project erects monuments in counties to recognize families displaced when the park was created. Visitors who tour the monuments learn how the communities have developed and provide economic benefits to the communities.

She reported that Delaware North Corporation, which is in its fifth year of a ten-year contract, runs the park's lodges and dining facilities. They have renovated the public restrooms, Skyland Lodge and Big Meadows.

The Potomac Appalachian Trail Club is a vital partner as its members maintain 300 of the 500 miles of park trails. She noted the Shenandoah National Park Association, the park's education partner, runs the book stores and visitor centers.

The Shenandoah National Park Trust has been the park's philanthropic partner for ten years. They will contribute \$400,000 to the park in 2017, with a goal to reach \$500,000 in the next two years.

A hiring freeze delayed filling 26 permanent positions in the park, but they are currently hiring and have filled six of those positions. Ms. Flynn noted that seasonal positions to serve the public have been filled.

Park fees increased from \$15 to \$20 in May 2015, with the second phase of the park entrance fee increase in January 2017 increasing the entrance fee to \$25 per vehicle. No additional increases are planned in the foreseeable future. Ms. Flynn noted that 80 percent of those funds remain in the Shenandoah National Park for park staff to determine how to spend the funds to enhance visitors' experiences. The funds cannot be spent for improvements that benefit park employees. The park anticipates receiving \$7.5 million in revenue this year, with \$6.25 million available to spend in the park.

Ms. Flynn indicated upcoming fee-free days are scheduled in 2017 on June 17 (park neighbor fee free day), August 25 (the National Park Services' birthday), September 30 (national public lands day), and November 11 and 12 (Veteran's Day weekend).

She reported that the Matthews Arm Campground is currently closed to replace the wastewater treatment system, but is scheduled to open by September 1, 2017.

The park continues to be concerned about plants, insects, diseases, energy development adjacent to the park, and improving water and air quality issues. Park staff were surprised by the public's interest in night sky programs. Ms. Flynn reported that while most ranger-guided hikes attract 15 to 20 participants, 450 people attended the first moonlight walk up Hawksbill so more night-time activities and star-gazing programs are being provided.

In response to questions from Supervisor Cuevas, Ms. Flynn indicated the park's 2016 budget was \$11.9 million. With recreational fees and various governmental funding, the operational budget totaled \$20 million. Federal funds allow the park to allocate money internally, based on the highest priorities. She noted most of the budgeted spending is for staffing. They have 180 permanent staff members and hired 128 temporary staff to work six months or less this year.

Supervisor Cuevas noted that Game & Inland Fisheries is concerned about the bear population and managing Chronic Wasting Disease, a non-native disease that infects the white tail deer population. Ms. Flynn stated there was unusual bear activity last year due to the bears coming out of hibernation before the berries were ready. There were reports of bears breaking into cars and going through picnic grounds last year. She confirmed for Supervisor Cuevas that there is not a bear population problem in the park.

Ms. Flynn stated that Chronic Wasting Disease is not in the Shenandoah National Park but has been seen north of the park. The only cure is herd management, and the park has a detection and response plan in place, she said. She informed Supervisor Cuevas that 37,968.58 acres of the park are in Rockingham County, with a total of 197,438 acres in the park. Ms. Flynn stated that Rockingham County is the second largest contributor to the park.

Supervisor Breeden noted the Blue Ridge Heritage-Rockingham Group meets June 15, 2017, and he highly recommended visiting the park.

Ms. Flynn informed the Board that the cost of the National Park Service lifetime pass for visitors 62 or older will increase October 1, 2017 from \$10 to \$80.

Supervisor Kyger indicated one-third of Rockingham County is under some type of government ownership other than Rockingham County.

In response to a question from Administrator King, Ms. Flynn said there has been no documentation of bears in the Shenandoah National Park ever harming anyone, but they steal food. A dog on a leash was killed by a bear outside of the park last year; bear cubs were involved.

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PRESENTATION OF RESOLUTION REGARDING THE INTERPRETATION OF BUILDING CODE TERMS ASSEMBLY BUILDING AND FARM BUILDING.

County Attorney Miller previously provided a draft resolution regarding the interpretation of building code terms “Assembly Building” and “Farm Building” to the Board for consideration. He noted the resolution is an attempt to clarify serious and significant public safety issues.

Mr. Miller indicated there has been much discussion regarding the resolution, which has been vetted at numerous levels and places, with government, private organizations and elected officials.

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COUNTY ADMINISTRATOR’S STAFF REPORT.

The Board received and reviewed Administrator King’s staff report dated June 8, 2017.

Administrator King read the following statement regarding the health insurance practices, for the Board’s consideration:

County and Schools Administrative, Finance, Human Resources, and legal staff, as well as outside health insurance and legal advisors, have been consulted regarding the County’s health insurance plan practices. We have also heard from County employees on our health insurance plan with contrasting opinions, some employees frustrated by current practices, some in favor of continuation of the current practices, and some in favor of varying phase-out periods, if the practice is phased out. My recommendation, with the support of the Board’s ad-hoc Insurance Committee and support of County Schools is the following:

1. The pre-1996 premium discount be discontinued entirely, effective October 1, 2017, and
2. That the Board phase-out the two-married employee discount over a 24- month period, beginning with the coming plan year, starting October 1, 2017. The phase-out is proposed as follows: the

employee share of premiums set at a maximum of \$100 per month starting in September of 2017, a maximum of \$300 per month starting in September of 2018, and the full employee share of the premium starting in September of 2019. The result is that the County and Schools will contribute no more than it would if the two employees were not married.

Supervisor Kyger made the following statement for the record:

1. I was employed prior to 1996 and am an employee of the Rockingham County School Board. Therefore, I am affected by this Board's decisions concerning school funding and similar issues.
2. I am able to participate in the discussion and vote without any conflict of interest.

Supervisor Breeden made a motion, as a member of the Board's ad hoc Insurance Committee, to accept staff's recommendation. The motion was seconded by Supervisor Eberly.

Supervisor Cuevas noted discontinuation of the practice is needed to keep the plan sustainable.

Carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board will discontinue the pre-1996 health insurance premium discount effective October 1, 2017; and the Board will phase out the two-married employee health insurance discount over a 24 month period. Beginning with the coming plan year, starting October 1, 2017, the employee share of premiums will be set at a maximum of \$100 per month starting in September of 2017. The maximum premium will be \$300 per month starting in September of 2018, and the full share of the premium will be paid by employees starting in September of 2019.

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APPOINTMENT – DELEGATE – NATIONAL ASSOCIATION OF COUNTIES (NACo) ANNUAL MEETING.

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 designated Supervisor Kyger as the County's voting delegate at the National Association of Counties (NACo) 2017 Annual Conference to be held July 21-24, 2017, in Columbus, Ohio.

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FINANCE DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Davidson's staff report dated June 7, 2017.

Mrs. Davidson introduced Adam Kerr, a James Madison University intern, who is assisting with financial analysis work this summer. Mr. Kerr is a public administration major.

Mrs. Davidson requested action on the purchase of medical services for the Rockingham Harrisonburg Regional Jail. A Request for Proposals (RFP) closed on June 2,

2017, with three responses. Staff recommended approval of a medical services contract with Southern Health Partners in the amount of \$658,896.

The contract represents an increase of \$192,299 from the prior contract. As part of the RFP, Southern Health will provide additional services, including on-site staffing, expanding the hours of the medical clerk and increasing communications between Southern Health and the jail staff, along with numerous other recommended changes. She noted that a \$200,000 supplemental appropriation is included in the Finance Committee report to fully pay for the contract. The Sheriff wanted to finalize the contract as soon as possible, she said.

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FINANCE COMMITTEE REPORT.

On behalf of the Finance Committee, 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 approved the following FY2017-2018 supplemental appropriation:

Jail

The Rockingham-Harrisonburg Jail placed a bid for Medical Services and received three responses. Southern Health Partners was the top respondent. The new contract amount is an increase of \$192,299 from the FY17 contract. The additional funds required for the medical services are not in the FY18 budget.

Supplemental Appropriation: \$200,000

\$200,000	GL Code: 1001-09110-00000-000-505800-000	Contingency
\$200,000	GL Code: 1001-03302-00000-000-503101-000	Professional Health Services

On behalf of the Finance Committee, 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 approved the following FY2017-2018 supplemental appropriation:

Department of Fire and Rescue

A supplemental appropriation in the amount of \$14,600 for the purchase of a rescue boat. The rescue boat previously used by the department was a total loss in a water rescue. The total value of the lost rescue boat was \$1,500. No insurance proceeds are expected to be recovered at this time.

Supplemental Appropriation: \$14,600

\$ 14,600	GL Code: 1001-09110-00000-000-505800-000	Contingency
\$ 14,600	GL Code: 1001-03201-00000-000-506065-000	Minor Equipment

On behalf of the Finance Committee, 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 approved the following FY2016-2017 supplemental appropriation:

Sheriff's Office

The Rockingham County Sheriff's Office received the Byrne Justice Assistance Grant in the amount of a \$1,371 (Federal) and \$152 (local) match for a total of \$1,523. A supplemental adjustment in the amount of \$1,523 is requested to purchase law enforcement equipment such as lithium batteries, digital cameras, ASP and SD cards. A \$152 local match is required.

Supplemental Appropriation: \$1,523

\$ 1,371	GL Code: 1001-00000-13900-000-339100-000	Other Federal Funds
\$ 152	GL Code: 1001-09110-00000-000-505800-000	Contingency
\$ 1,523	GL Code: 1001-03102-10301-000-506014-000	Other Operating Supplies

On behalf of the Finance Committee, on motion by Supervisor Breeden, seconded by Supervisor Kyger, 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 FY2016-2017 supplemental appropriation:

Department of Fire and Rescue

A supplemental appropriation in the amount of \$47,150 for the reimbursement of monies spent on overtime to staff Dynamic Aviation with Aircraft Rescue Firefighting certified employees. Dynamic Aviation was billed for these services.

Supplemental Appropriation: \$47,150

\$ 47,150	GL Code: 1001-00000-11803-000-318200-000	Charges for Other Personnel Services
\$ 47,150	GL Code: 1001-03201-00000-000-501200-000	Overtime

On behalf of the Finance Committee, 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 approved the following FY2016-2017 supplemental appropriation:

Landfill

A supplemental adjustment in the amount of \$170,000 to complete work on the landfill entrance. \$158,534 consists of a computational error in the previous allocation and \$11,466 is to finish the scales and for other miscellaneous items to complete the project.

Supplemental Appropriation: \$170,000

\$ 170,000	GL Code: 1411-04206-00000-000-508305-000	Site Improvements
\$ 170,000	GL Code: 1411-00000-15101-000-352000-000	Solid Waste Fund Balance

Mrs. Davidson presented a Resolution to Declare an Intent to Reimburse for the Phase 5A landfill cell construction [this should have been the McGaheysville waterline project]. She noted the County will request debt issuance from the Virginia Resources Authority in the fall, but work has already started on the project. The resolution will allow the County to reimburse itself for money already spent when the debt is issued.

On behalf of the Finance Committee, 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 adopted the following resolution:

RESOLUTION TO DECLARE AN INTENT TO REIMBURSE

WHEREAS, the Board of Supervisors of Rockingham County, Virginia (the “County”), upon mature consideration, has determined that it is essential for the County to acquire, construct, reconstruct, expand, and equip capital projects for the Rockingham County water system and facilities related thereto, including, but not limited to: (i) construction of the McGaheysville Water Line Project, which includes approximately 16,500’ of 16” waterline and 900’ of 12” waterline, a one (1) million gallon water storage tank and access road, water pumping station, fire hydrants, service reconnections, and associated appurtenances, (ii) and payment of engineering fees and other preliminary costs and costs of issuance in connection with such undertakings by the County (all capital projects for such purposes in the County being referenced herein as the “Project”); and

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

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

NOW THEREFORE, BE IT RESOLVED, as follows:

1. The County has paid/has caused to be paid, beginning no earlier than 60 days prior to adoption hereof and will pay/will cause to be paid, on and after the date hereof, certain expenditures (the “Expenditures”) in connection with the Project. Further, it has been determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Project-related expenditures are available only for a temporary period and it is necessary to reimburse the County for the Expenditures from the proceeds of such Loan as described above (or otherwise from one or more issues of tax-exempt bonds). Accordingly, the County hereby declares its intent and reasonable expectations to reimburse the County with all or any portion of the proceeds thereof for the Expenditures with respect to the Project made no earlier than 60 days prior to the adoption hereof. The County reasonably expects on the date hereof that it will reimburse the Expenditures with all or any portion of the proceeds of such Loan from VRA.

2. The maximum aggregate principal amount of bond(s) to be issued by the County in one or more series (to VRA, as described above, or other tax-exempt financing(s) as may be necessary or convenient) in connection with the Project, as described above, is reasonably anticipated to be approximately \$7,000,000.

3. The County will make a reimbursement allocation, which is a written allocation that evidences the use of proceeds thereof to reimburse the Expenditures, no later than 18 months after the later of the date on which the Expenditure(s) is/are paid or the Project is placed in service or abandoned, but in no event more than three (3) years after the date on which the Expenditure(s) is/are paid. This declaration of intent to reimburse, as required by Treasury Regulations Section 1.150-2 and Federal tax laws, shall take effect immediately.

ADOPTED: June 14, 2017

Mrs. Davidson reviewed two accounts receivable write-offs for uncollectable balances. The amount being written off is old debt dating back to 2004 and beyond. The County wants to clean up the books since all collection efforts have been exhausted.

On behalf of the Finance Committee, on motion by Supervisor Breeden, seconded by Supervisor Kyger, 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 a Solid Waste Fund write-off in the amount of \$23,287.66 for uncollectable balances.

On behalf of the Finance Committee, on motion by Supervisor Breeden, seconded by Supervisor Kyger, 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 a Three Springs Water & Wastewater System write-off in the amount of \$34,185.54 for uncollectable balances.

Supervisor Breeden asked about the McGaheysville Waterline loan through Virginia Resources Authority.

Mrs. Davidson requested that the minutes show she said the Resolution to Declare an Intent to Reimburse approved earlier was for Phase 5A landfill cell construction, but it was for the McGaheysville waterline.

Administrator King questioned whether the Board voted on the Southern Health contract for the jail, or just the allocation of funds for the contract.

Following discussion, it was decided the Board voted for the appropriation; not to award the contract.

On motion by Supervisor Kyger, 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 awarded the Rockingham-Harrisonburg Regional Jail medical services contract to Southern Health Partners in the amount of \$658,896.

Administrator King said the County has heard concerns from the public that jail inmates are not being provided adequate healthcare. The County believes inmates are provided adequate healthcare, but this contract enhances that level of service, he said. While the new healthcare contract will cost more, the County hopes it will provide an added level of care for Harrisonburg Rockingham Regional Jail inmates.

The Deputy Clerk informed the Board that a roll call vote was needed for the Resolution to Declare an Intent to Reimburse.

Supervisor Cuevas confirmed with Mrs. Davidson that the Virginia Resources Authority (VRA) obligation is from the water and sewer utility program, not the general fund.

Carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board adopted the Resolution to Declare an Intent to Reimburse for the construction of the McGaheysville Water Line Project.

Administrator King mentioned that Carolyn Berry from Fire and Rescue will sit in occasionally at Board meetings and may take minutes when one of the Deputy Clerks is on vacation.

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HUMAN RESOURCES DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Mongold’s staff report dated June 14, 2017.

Mrs. Mongold said all employees with dependents on their health insurance coverage should have received letters about the dependent eligibility audit. HMS, the company performing the audit, will send letters to all employees with dependents. The letter will include directions and where to send the documents.

Administrator King said this will be an inconvenience to employees and they will not like having to provide the information in order for Anthem to determine if there are individuals on the County healthcare policy who are not eligible to be on the plan. Anthem indicates the audit will save the County as much as eight percent on healthcare claims.

Mrs. Mongold noted she viewed a demonstration of the HMS website. She said the website is user friendly with links to Virginia and Virginia Department of Health that make it easy for employees who cannot locate their necessary documentation, such as marriage licenses and birth certificates.

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Hertzler’s staff report dated June 14, 2017.

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BUILDING AND GROUNDS COMMITTEE.

Supervisor Eberly advised that the current Heating, Ventilation and Air Conditioning (HVAC) Preventative Maintenance Services Contract expires June 30, 2017. In April 2017, the County issued a Request for Proposals for the HVAC Preventative Maintenance Service Contract. County procurement procedures were properly adhered to and the following proposals were received:

Contractor	PM Cost	Hourly Rate	OT Rate	Markup %	Truck Charge	Total Projected Cost
Blauch Bros. Inc	\$39,990	\$75	\$112.50	30%	N/A	\$182,968
Southern Air	\$39,214	\$78	\$117	33%	N/A	\$186,470
Riddleberger Bros. Inc	\$58,990	\$78	\$117	40%	\$25	\$212,133

Staff reviewed the proposals and evaluated them on weighted criteria, followed by interviews with Blauch Brothers, Inc. and Southern Air.

The Building and Grounds Committee recommended approval of the proposal from Southern Air for the HVAC Preventative Maintenance Service Contract for a three-year

period with two (2) one-year renewals for a potential 5-year term, at a total project cost of \$186,470.

On behalf of the Building and Grounds Committee, 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 approved the proposal submitted by Southern Air for the HVAC Preventative Maintenance Service Contract, at a total project cost of \$186,470.

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PUBLIC WORKS COMMITTEE.

Mr. Hertzler previously provided the Board with a list of companies and cash customers that had fees waived at the landfill during 2016, that amounted to \$131,100.

Supervisor Cuevas noted the landfill has accepted waste from some community and charitable organizations, which do good work in the community, without charging tipping fees. He said the landfill is a self-supporting operation, operated solely on revenue from tipping fees paid by customers, and it is not proper for the general operating fund to support expenditures at the landfill, which amount to close to \$300,000. He noted if landfill tipping fees are not competitive there is the risk of reaching the point where tipping fees affect the amount of waste coming into the landfill and create a risk of losing customers. The County wants to save space, but needs a certain amount of waste to manage the landfill operation. Because of the impact of free waste accepted at the landfill, the Public Works Committee recommended that effective January 1, 2018, no waste be accepted at the landfill for free unless the Board takes action to waive the fee in the case of an extreme emergency or extreme circumstances.

On behalf of the Public Works Committee, Supervisor Cuevas made a motion, seconded by Supervisor Eberly, to discontinue the practice of accepting waste at no charge from community and charitable organizations, effective January 1, 2018.

Supervisor Cuevas requested that Public Works staff send written notification to the community members and organizations that have benefited from free waste disposal at the landfill.

Carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board discontinued the practice of accepting waste at no charge from community and charitable organizations, effective January 1, 2018.

Supervisor Cuevas explained that the Phase 5A landfill cell construction requires abandonment of some landfill gas well and relocation of collection pipes. Staff recommended approval of SCS Field Services work order 17-03 in the amount of \$288,245 for the gas field relocation. This work will be paid out of the phase 5A budget with funds for this project coming from the Solid Waste fund balance.

On behalf of the Public Works Committee, 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 approved SCS Field Services' work order 17-03 in the amount of \$288,245.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's staff report dated June 14, 2017.

Mr. Armstrong said one bid was received from Partners Excavating Company for the Route 33 road widening project. The County's project engineer, Valley Engineering, and staff reviewed the bid and recommended awarding the project to Partners Excavating Company in the amount of \$2,678,640.

Administrator King indicated that staff tries to include requests in the Board packet to allow time for review, but explained that there have been delays due to utility relocations by Verizon, as well as VDOT approvals. Staff did not want to wait until the June 28, 2017, Board meeting to request approval because prospects for development are dependent upon confidence that the project will be completed in a timely manner.

Supervisor Breeden noted he had a conversation with Administrator King and Mr. Armstrong earlier in the day about the Route 33 road widening project, and he wanted to make an exception for approval.

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 awarded the Route 33 road widening project to Partners Excavating Company in the amount of \$2,678,640.

Mr. Armstrong introduced Kayla Woods, part-time Permit Specialist I. She lives in Broadway and is a Bridgewater College graduate, with a degree in economics.

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 removed from the table REZ17-058, Bethel Bend Farm, Inc., 1147 Bethel Church Road, Elkton VA 22827, to rezone a 7.7-acre portion of TM#114-(A)-L127, located on the south side of Bethel Church Road approximately 1100' west of River Road, from Prime Agricultural (A-1) to General Agricultural (A-2). The Comprehensive Plan identifies this area as Agricultural Reserve. Election District 5.

Supervisor Breeden made a motion to approve REZ17-058, Bethel Bend Farm, Inc. because it is consistent with other rezonings. Supervisor Kyger seconded the motion, 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 REZ17-058, Bethel Bend Farm, Inc., 1147 Bethel Church Road, Elkton VA 22827, to rezone a 7.7-acre portion of TM#114-(A)-L127, located on the south side of Bethel Church Road approximately 1100' west of River Road, from Prime Agricultural (A-1) to General Agricultural (A-2). The Comprehensive Plan identifies this area as Agricultural Reserve. Election District 5.

Supervisor Breeden made a motion to remove from the table SUP17-059, Willis L. Heatwole, 1147 Bethel Church Road, Elkton 22827 for an (agricultural) machinery and equipment center and a motor vehicle repair shop on the south side of Bethel Church Road (Route 636) approximately 1100' west of River Road (Route 635), Election District #5, zoned A-1, Prime Agriculture to be rezoned to A-2, General Agriculture, tax map #114-(A)-L127. Property address: 1147 Bethel Church Road, Elkton. The Board took SUP17-059, Willis L. Heatwole, 1147 Bethel Church Road, Elkton 22827 off the table.

Supervisor Breeden asked Ms. Stultz to review the special use permit request.

Ms. Stultz indicated staff went over the concerns that surfaced. The original condition 5 indicating “the auto repair shop is not permitted if the property is not rezoned to A-2” will be removed since rezoning request REZ-058 was approved to change the zoning from A-1 to A-2 immediately prior to special use permit request SUP17-059 being removed from the table. Condition 5 will be replaced with language indicating that as required by VDOT, the applicant shall use the westernmost entrance to the poultry houses for the business.

Condition 10 will be added stating that the applicant shall erect a sign at the westernmost entrance indicating that is the business entrance, and a sign shall be erected at the easternmost entrance indicating it is a private entrance. The signs will be erected before a certificate of occupancy is approved.

A condition will state supplemental standards shall be met, become a part of the permit, and the supplemental standards will be attached to the permit, Ms. Stultz said.

Supervisor Breeden noted that downward lighting would be used and that flashing would be placed on the light fixture at the eastern end of the garage.

Chairman Chandler asked if Supervisor Breeden wanted to add comments made by the applicant during the field trip to the site earlier in the day.

Supervisor Breeden noted that, during the Board’s visit to Bethel Bend Farm earlier in the day, the applicant offered to pave the entry road to the poultry houses, to help with dust issues for his neighbor.

Ms. Stultz questioned if that should be part of number 10 stating the applicant will use the western entrance, and should it indicate that just the entrance would be paved. Chairman Chandler interjected that the applicant did say “to the top of the hill before turning to come into the property.” Ms. Stultz indicated she would make that a separate condition (number 11).

Ms. Stultz confirmed with Supervisor Breeden that the condition should state that the westernmost right-of-way shall be paved to the top of the hill, as proffered by the applicant.

Supervisor Breeden questioned if there was a requirement to have an engineering study performed to make sure the building was in compliance with code. Ms. Stultz stated condition number 2 states, “Building shall comply with the Statewide Building Code and the proper permits shall be obtained.” That is required on any agricultural building or any building being changed to a different use, Ms. Stultz said.

On motion by Supervisor Breeden, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; and subject to the following conditions, the Board approved SUP17-059, Willis L. Heatwole, 1147 Bethel Church Road, Elkton 22827 for an (agricultural) machinery and equipment center and a motor vehicle repair shop on the south side of Bethel Church Road (Route 636) approximately 1100' west of River Road (Route 635), Election District #5, zoned A-1, Prime Agriculture to be rezoned to A-2, General Agriculture, tax map #114-(A)- L127. Property address: 1147 Bethel Church Road, Elkton.

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. Applicant shall meet all Health Department requirements regarding septic.
5. As required by VDOT, applicant shall use the westernmost entrance to the poultry houses for this business.
6. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.
7. There shall be no off-premise signs permitted unless all County and State regulations are met.
8. Parking shall comply with the Rockingham County Code.
9. 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.
10. Applicant shall erect a sign at the approved westernmost entrance stating that is the entrance for the business. At the easternmost entrance, applicant shall erect a sign that this entrance is a private entrance. These signs shall be erected prior to a certificate of occupancy being issued.
11. As proffered by the applicant, the westernmost right-of-way shall be paved to the top of the hill.
12. Supplemental standards shall be met and shall become a part of this permit and be attached to this permit.
13. All lighting shall be downward lighting.

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TECHNOLOGY DIRECTOR'S STAFF REPORT.

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

Mrs. Perry noted that a switch replacement, which was approved as part of the 2016-2017 budget, will occur during the evenings of July 10-14, 2017. A notice will be sent informing employees of the switch replacement.

Chairman Chandler informed Mrs. Perry that he appreciated the courtesy of Technology staff in helping him with an issue.

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FIRE AND RESCUE CHIEF'S STAFF REPORT.

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

Supervisor Breeden reminded Chief Holloway that they spoke with Mr. Komara about installing an advanced yellow flashing left turn arrow at the traffic light at the McGaheysville Fire Department on Spotswood Trail (Route 33) in the east bound lane, to keep traffic flowing for volunteers and staff entering the fire department. The signal has not been installed yet and an emergency vehicle was delayed at the light since the request was made. Supervisor Breeden asked Chief Holloway to remind Mr. Komara of the request.

Discussion ensued between Chief Holloway and the supervisors regarding a bridge that would be closed for 30 days on East Timber Ridge Road (Route 668), as well as Insurance Service Office (ISO) ratings and fire hydrant color coding.

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PARKS & RECREATION DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. McQuain’s staff report dated June 2017.

Mrs. McQuain introduced Carley Jenkins, who came to the County as a graduate assistant from James Madison University. She has graduated and accepted a full-time position as Athletic Technician.

On motion by Supervisor Breeden, seconded by Supervisor Kyger, 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 Doug Kisamore to fill an unexpired term on the Recreation Commission for District 5, with a term to expire December 31, 2019.

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COURT SERVICES DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Freeman’s staff report dated June 14, 2017.

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COMMITTEE REPORTS.

The Board heard additional committee reports from Board members and staff.

CHAMBER OF COMMERCE

Supervisor Eberly noted only 500 people attended the annual Fun Fest event at Massanutten due to inclement weather.

SOCIAL SERVICES

Supervisor Breeden stated that Harrisonburg Rockingham Social Services District is in need of foster parents. Foster Care Social Worker Lorie Dunn is available to visit churches and civic organizations to provide a presentation about foster parenting.

In response to a question from Supervisor Cuevas, Social Services Director Celest Williams indicated Kevin Flint is the District 1 member on the Social Services Advisory Board. She also noted that Jim Elmore is the representative from District 3. Both were appointed in November 2016.

VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Supervisor Kyger noted some VACo committees such as Transportation are meeting June 15, 2017, and other committees will meet in August.

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COMMITTEE APPOINTMENTS.

On behalf of Chairman Chandler, on motion by Supervisor Kyger, 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 appointed Deborah Bullis as a member at large to the Community Services Board for a term to expire June 30, 2020.

On motion by Supervisor Kyger, 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 appointed George K. Anas, II to the Shenandoah Valley Partnership with Stephen G. King as the alternate for terms to expire June 30, 2019.

On motion by Supervisor Kyger, 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 appointed Dennis Baker to represent District 4 on the Social Services Advisory Board for the Harrisonburg Rockingham Social Services District, with a term to expire June 30, 2021. [The appointee should have been Dennis Driver – a correction was made in the evening portion of the meeting].

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RECESS.

At 4:18 p.m., Chairman Chandler declared the regular meeting recessed for a meeting of the Lilly Subdivision Sanitary District.

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RECESS.

At 4:20 p.m., Chairman Chandler declared the regular meeting recessed for a meeting of the Penn Laird Sewer Authority.

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RECESS.

At 4:21 p.m., Chairman Chandler declared the regular meeting recessed for a meeting of the Smith Creek Water and Waste Authority.

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CLOSED MEETING.

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 recessed the meeting from 4:22 p.m. to 5:07 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 BREEDEN RESOLUTION NO: 17-08
SECOND: SUPERVISOR CUEVAS MEETING DATE: JUNE 14, 2017

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 5:07 p.m., Chairman Chandler recessed the meeting for dinner.

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CALL TO ORDER.

At 6:01 p.m., Chairman Chandler called the evening portion of the Board of Supervisors Meeting to order.

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TRANSPORTATION DEPARTMENT.

The Board heard Mr. Komara’s report on the activities of the Transportation Department, including updates on several bridges and roads.

Bids will be received June 21, 2017, for work on sidewalks in Grottoes. Curb and gutter work was performed in Timberville to improve the turning radius onto McCauley Drive (Route 800).

Recent maintenance includes mowing and spot leveling.

Asphalt will be applied on Mayland Road (Route 259) and part of Spring Brook Road (Route 1421) in Broadway in June. Turn lanes will be added at the intersection of South Valley Pike (Route 11) and Cecil Wampler Road (Route 704) during the summer.

Mr. Komara reported that the Commonwealth Transportation Board should approve revenue sharing funds the week of June 19, 2017.

Work will begin soon to add a left turn lane at the first crossover east of the Spotswood High School entrance on Spotswood Trail (Route 33), where vehicles make U-turns.

Supervisor Cuevas commented that he appreciated the outstanding work provided by the local Virginia Department of Transportation, and Supervisor Breeden seconded the comment.

Supervisor Eberly said he sees transportation improvements that make him hopeful, particularly stripes painted on roads to improve visibility at night.

Supervisor Kyger asked if it would be possible to install a flashing yellow left turn signal at the intersection of Dinkel Avenue (Route 257) and South Valley Pike (Route 11). Mr. Komara responded that current traffic signals are being upgraded with signals that have a flashing yellow turn arrow. He will see where the signal at this intersection is on the list.

Mr. Komara confirmed for Supervisor Kyger that VDOT will perform a traffic count and speed study on the County's portion of Tilghman Road (Route 902).

Chairman Chandler requested that VDOT look into a possible speed reduction on Port Republic Road (Route 253) east of Mill Creek Church of the Brethren.

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RECESS.

The meeting was recessed from 6:06 p.m. until 6:25 p.m. due to a fire alarm and evacuation of the building.

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RESUME MEETING/TRANSPORTATION DEPARTMENT REPORT.

Chairman Chandler called the meeting back to order at 6:25 p.m., and Mr. Komara completed the Transportation Department report.

Mr. Komara explained that VDOT has Smart Scale Projects, which address congestion mitigation, economic development, accessibility, safety and environmental quality. The County was successful last year in obtaining funding from this program for the Friedens Church Road (Route 682) curve and the alignment of Cecil Wampler Road and Oakdale Road (Routes 704).

In response to a question from Supervisor Eberly, Mr. Komara indicated there are a little over 200 miles of gravel roads in the County. Supervisor Kyger asked how that compares to our neighbor to the south. Mr. Komara noted Augusta County has 215 to 220 miles of gravel roads. He also noted Page County has 70 miles of gravel roads.

Mr. Komara indicated the proposed improvement program mostly addresses gravel roads and a few projects that have been in the improvement program for a long time. He said the County receives about \$1 million a year from the program to improve a mile and a half or two miles of gravel roads. Last year funding was received to improve a mile and a half on Horeb Church Road (Route 732) and about a mile on Bow Hunters Road (Route 833) and Longbow Road (Route 684).

Mr. Komara reviewed the road projects included in the Secondary System Construction Program.

Supervisor Breeden reminded Mr. Komara that they had talked about making an improvement on Mt. Harmon Road (Route 979), which connects Stephen Conrad Road (Route 979) with Spotswood Trail (Route 33), by obtaining rights-of-way or performing spot improvements and widening the road enough for two cars to pass. Mr. Komara thinks traffic will increase on Stephen Conrad Road after it is paved because it is a cut-through from East Point Road (Route 602) to Spotswood Trail (Route 33).

Mr. Komara reported that Jackson Way, (Route 955) has been graded and VDOT will apply calcium chloride to reduce the dust.

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PUBLIC HEARING – VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SECONDARY ROAD SIX-YEAR IMPROVEMENT PROGRAM.

At 6:37 p.m., Chairman Chandler opened the public hearing to hear public comments on VDOT’s Secondary Six-Year Improvement Program.

Ed Speshock, who lives off Osceola Springs Road, asked Mr. Komara to explain the curve along Friedens Church Road (Route 257). Mr. Komara said motorists making a right turn get hung up on the wall around the Friedens Church cemetery so VDOT will improve the curve to make it easier for trucks to navigate. Ms. Cooper noted that Scholars Road (Route 988) and Oak Ridge Road (Route 680) intersect with Friedens Church Road at the church so those roads will be involved. Administrator King explained that traffic makes a 90-degree turn at Friedens Church and the improvement will make a sweeping turn. Supervisor Kyger stated that this project will improve the intersection of the three roads.

No other citizens spoke regarding the projects in the six-year improvement program.

At 6:40 p.m., Chairman Chandler closed the public hearing and reconvened the regular meeting.

On motion by Supervisor Breeden, seconded by Supervisor Kyger, 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 Secondary Six-Year Improvement Program for Fiscal Years 2018-2019 through 2022-2023 as follows:

**Secondary System
Rockingham County
Construction Program
Estimated Allocations**

Fund	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	Total
CTB Formula – Unpaved State	\$751,155	\$864,082	\$830,452	\$0	\$0	\$0	\$2,445,689
Secondary Unpaved Roads	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TeleFee	\$218,344	\$218,344	\$218,344	\$218,344	\$218,344	\$218,344	\$1,310,064
Residue Parcels	\$0	\$0	\$0	\$0	\$0	\$0	\$0
STP Converted from IM	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP – Bond Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Formula STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
MG Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0
BR Formula	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other State Match	\$0	\$0	\$0	\$0	\$0	\$0	\$0
State Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal STP	\$0	\$0	\$0	\$0	\$0	\$0	\$0
District Grant - Unpaved	\$0	\$0	\$0	\$1,166,020	\$746,024	\$990,446	\$2,902,490
Total	\$969,499	\$1,082,426	\$1,048,796	\$1,384,364	\$964,368	\$1,208,790	\$6,658,243

Supervisor Cuevas questioned how far the right-of-way extends from the center of roads. Mr. Komara responded that according to the Code of Virginia, the right-of-way is 30 feet so VDOT takes 15 feet each way from the center of the road. He further explained that VDOT used to obtain rights-of-way in order to hard surface roads but now they do more rural rustic roads that are paved in place. If there is a slope, the slope is cut straight up and down and VDOT requests residents provide an easement for VDOT to lay the slope back, which allows two cars to pass, is safer and easier to mow, and looks better. If residents do not want the slope laid back, VDOT can take the 15 foot right-of-way and build the road within their 30 feet.

Supervisor Cuevas expressed concern that farmers plant corn along the edge of roads, making it difficult for motorists to see around sharp turns. While farmers do not intentionally limit visibility, they should consider the line of sight when crops are planted. Supervisor Cuevas suggested a County department inform residents of safety concerns

when crops are planted too close to the road, and request that they consider sight distance on curves and at intersections.

Supervisor Breeden noted that residents on Panorama Drive (a private road), which is a rural addition, would like to bring the road into the system. When this was discussed several years ago, some neighbors were not in favor of the road being in the state system, but would now like it included. Mr. Komara said the Panorama Drive residents should contact him. He added that such a project is part of the funding allowed for rural additions. Road reviewers look at the roads and sometimes revenue sharing funds can be used.

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COMMITTEE APPOINTMENT CORRECTION.

Supervisor Kyger stated he wished to strike an appointment made in the afternoon portion of the Board meeting, appointing Dennis Baker to represent District 4 on the Social Services Advisory Board, and replace his name with Dennis Driver.

On motion by Supervisor Kyger, 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 appointed Dennis Driver to represent District 4 on the Social Services Advisory Board for the Harrisonburg Rockingham Social Services District, with a term to expire June 30, 2021.

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PUBLIC HEARING - SPECIAL-USE PERMITS.

At 6:47 p.m., Chairman Chandler opened the public hearing and explained the public hearing process.

Ms. Stultz reviewed the following special-use permits:

SUP17-065 Dale Lee Heatwole, 2099 Bank Church Road, Dayton 22821 for a private airstrip and hangar on property located on the north side of Bank Church Road (Route 734) approximately 300' east of Hinton Road (Route 752), Election District #2, zoned A-1 AF-4. Tax Map #106-(A)-25

The applicant was present.

No one spoke regarding the request.

SUP17-073 Hobbit Hill Farm LLC, 6460 Showalter Road, Mt. Crawford 22841 for an event center (no building – outside events only) on property located at the end of Showalter Road (Route 863) approximately 2500' south of East Timber Ridge Road (Route 667), Election District #3, zoned A-2. Tax Map #151-(A)-59

Applicant Tom Pack said he, his wife Martha, their daughter and her husband are interested in providing a location for outside events. Mr. Pack said they try to be good neighbors and noted a representative from each neighboring family was in attendance. If concerns arise, he and his family are open to talking with the neighbors and addressing any problems. The property is along a narrow and curvy road, but he said anyone visiting the property is aware of that. He provided photographs of his daughter’s wedding to the Board so they could see the location where they want the event area.

Mr. Pack emphasized their intent is to basically leave the property in its natural state. They will mow the grass and manicure the site, but will not erect any buildings.

They anticipate the event area will primarily be used on weekends. They have hosted a couple weddings and a group has held a reunion there every year for 25 years with no complaints. Mr. Pack's family grows crops, often corn that provides a noise buffer, but they do not want loud weddings or parties.

Neighbor Robin Reed indicated the Packs are an outstanding family and Showalter Road is in a beautiful area. Since he admires the Pack family, he wants their event area to be successful and supports it. He said the Packs support their neighbors and will listen to them. Since Mr. Reed envisions the business growing, he asked what the process would be to revisit the special use permit in the future if there are multiple large events that impact what the neighbors love about the area.

Mr. Miller stated there would need to be a violation of the terms or conditions of the special use permit in order for it to come back before the Board; there is no periodic review or termination date.

Mr. Reed commented this was his first time to attend a Board meeting. He said he admired receiving a letter, and the sign posted on Showalter Road. He called Ms. Stultz with numerous questions and she was very patient with him, which he appreciated.

Cindy Diehl expressed a concern about the road since it is very narrow, so that motorists need to be careful when they meet another car. The letter she received indicated there would be parking for 200 cars. She said unless improvements are made to Showalter Road, it could be dangerous for people out of the area who are driving too fast.

Supervisor Kyger explained a certain road count is required for VDOT to make improvements to rural roads. He noted the bad side is Showalter Road is a narrow road that could have a couple hundred cars. However, if a traffic count is conducted and the road meets the required number of cars, Showalter Road may be considered a priority for a road improvement. Without the additional vehicles, the road will remain as is, he said.

Darrell Diehl indicated he supports the Packs, but is concerned about the narrow road. He said neighbors know how to drive on the road but people from out of the area may not.

No one spoke in opposition to the request.

SUP17-078 Randolph H. and Pamela F. Collins, 1299 North River Road, Mt. Crawford, 22841 for a waiver to supplemental standards for accessory dwelling to allow the distance between the accessory dwelling and primary dwelling to be increased from 25' to 123'6" on property located on the north side of North River Road (Route 867) at its intersection with Fairview Road (Route 693), Election District #4, zoned A-1. Tax Map #137-(A)-95B1

Applicant Randolph Collins indicated his daughter, who has never been married, needed a place to live 15 years ago so he turned his shop in the barn into a small apartment. Although it was supposed to be a temporary residence, she still lives in the apartment. Mr. Collins said he did not realize he had done anything wrong and wants to correct the situation. When Mr. Collins spoke with Kelly Getz, he understood that the distance between dwellings was supposed to be 90 feet, not 25; so that is a bigger issue than he originally thought.

No one else spoke regarding the request.

SUP17-092 Andrew and Tammy Duxbury, 9270 Daphna Road, Broadway 22815 for waiver to accessory dwelling supplemental standards to

allow the existing dwelling to become accessory dwelling and new dwelling to become the primary dwelling on property located on the east side of Daphna Road (Route 803) approximately 400' north of Lacey Spring Road (Route 806), Election District #2, zoned A-2. Tax Map #65-(7)-1A

Mrs. Duxbury provided a handout to the Board members and thanked them for their consideration. She and her family moved to the area from Rhode Island a year ago. Her husband is an accounting professor at James Madison University and she is an accounting professor at Eastern Mennonite University. They were attracted to the rural character of the property because they moved from a subdivision with small lots. Mrs. Duxbury indicated her family will be able to live in the apartment over the garage while their home is being built.

Mrs. Duxbury noted this is a perfect location for their later years, so their home will be handicap accessible. She explained the photographs provided of the current buildings on the property, and design plans for the farm-type house they intend to build to be compatible with the current buildings and landscape. She said they have no plans to subdivide the property or rent the apartment; it will be used by family and friends. They do not intend to run a business out of the building that houses the apartment. The office in the garage will be converted back to a garage bay.

Having served on the Town Council in Rhode Island, Mrs. Duxbury noted how well the Rockingham County administration works. She said Ms. Stultz and Mr. Getz have been extremely helpful, and she appreciated that the County sent letters to adjacent property owners informing them of the special use permit. She ended by thanking the Board, County Administrator and County Attorney for their service.

No one else spoke regarding the request.

At 7:24 p.m., Chairman Chandler closed the public hearing.

On motion by Supervisor Eberly, seconded by Supervisor Kyger, 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 SUP17-065, Dale Lee Heatwole, 2099 Bank Church Road, Dayton 22821 for a private airstrip and hangar on property located on the north side of Bank Church Road (Route 734) approximately 300' east of Hinton Road (Route 752), Election District #2, zoned A-1 AF-4. Tax Map #106-(A)-25

CONDITIONS:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Hangar shall comply with the Virginia Uniform Statewide Building Code.
3. All requirements of the Rockingham County Fire Prevention Code shall be met.
4. Any plumbing placed in the hangar shall require septic system approval from the Health Department.
5. All requirements of Erosion & Sediment Control and Stormwater Management shall be met.
6. If the airstrip is put into place within the two year required period, there will be no time limitations on adding the hangar.
7. The hangar shall comply with all setbacks for the A-1 zoning district.

8. As proffered by the applicant, hours of operation will be only during daylight hours.
9. In accordance with supplemental standards, only one plane may use the flight strip at a time.

Chairman Chandler said he spoke with the Pack family previously. In regard to the condition that hours of operation are from 6 a.m. to 11 p.m., Chairman Chandler thought a change in time to 8 a.m. instead of 6 a.m. might be helpful. Mr. Pack indicated his family had no objections to changing that time.

In reviewing VDOT comments regarding some places along Showalter Road that are narrow and hard to pass, Chairman Chandler suggested the Packs work with VDOT to put up signs to slow traffic to 20 miles an hour on days when events are scheduled. He noted that overgrowth makes it more difficult to navigate so it would also be helpful if the Packs and neighbors would mow just prior to events.

On behalf of Chairman Chandler, on motion by Supervisor Kyger, 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, with the following conditions, approved SUP17-073, Hobbit Hill Farm LLC, 6460 Showalter Road, Mt. Crawford 22841 for an event center (no building – outside events only) on property located at the end of Showalter Road (Route 863) approximately 2500' south of East Timber Ridge Road (Route 667), Election District #3, zoned A-2. Tax Map #151-(A)-59

CONDITIONS:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. As there are no structures involved, portable toilets may be used. Portable toilets shall be removed within two days of the event.
3. Hours of operation shall not exceed 6 a.m. to 11 p.m.
4. Adequate parking shall be required. If this is by a designated parking lot, all Erosion & Sediment Control measures shall be met.
5. Applicant's residence is on a small parcel that sits in the middle of this property. Should the owners move from the property, this permit shall become null and void unless the then current supplemental standards are met.

Supervisor Kyger indicated he saw no problem with Mr. and Mrs. Collins' request because when Mr. Collins discovered there was a violation, he did everything possible to come into compliance.

On motion by Supervisor Kyger, 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, with the following conditions, approved SUP17-078, Randolph H. and Pamela F. Collins, 1299 North River Road, Mt. Crawford, 22841 for a waiver to supplemental standards for accessory dwelling to allow the distance between the accessory dwelling and primary dwelling to be increased from 25' to 123'6" on property located on the north side of North River Road (Route 867) at its intersection with Fairview Road (Route 693), Election District #4, zoned A-1. Tax Map #137-(A)-95B1

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. Health Department requirements shall be met.
4. 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.

On motion by Supervisor Eberly, 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, with the following conditions, approved SUP17-092, Andrew and Tammy Duxbury, 9270 Daphna Road, Broadway 22815 for waiver to accessory dwelling supplemental standards to allow the existing dwelling to become accessory dwelling and new dwelling to become the primary dwelling on property located on the east side of Daphna Road (Route 803) approximately 400' north of Lacey Spring Road (Route 806), Election District #2, zoned A-2. Tax Map #65-(7)-1A

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. In addition to the new residence complying with building code, the garage shall be inspected for code/safety requirements.
4. Health Department regulations shall be met.
5. If approved, the living space in the existing garage/apartment shall be reduced to be no more than 863 square feet.
6. As proffered by the applicant, the area that shall become the accessory dwelling shall not be used as a rental.
7. The addendum submitted by the applicant shall become a part of this permit and the proffers made in it by the applicant shall be binding.
8. 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.

Administrator King thanked Mrs. Duxbury for her earlier compliment but stated the credit goes to Ms. Stultz and Mr. Getz as they perform all the work. He said the two of them, along with their team, are the face of Rockingham County for many people, and Administrator King thanked zoning staff.

ADJORNMENT.

Chairman Chandler declared the meeting adjourned at 7:29 p.m.

Chairman

DRAFT