

June 26, 2019

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, June 26, 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
- RHONDA H. COOPER, Director of Community Development
- PATRICIA D. DAVIDSON, Director of Finance
- PHILIP S. RHODES, Director of Public Works
- BRADFORD R. R. DYJAK, Director of Planning
- JESSICA G. KILBY, Deputy Clerk
- DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation
- C. BURGESS LINDSEY, Assistant Residency Administrator
Virginia Department of Transportation

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CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE.

Chairman Breeden called the meeting to order at 6:02 p.m.

Supervisor Cuevas brought attention to the recent passing of Charles “Chuck” Ahrend, who served on the Board of Supervisors from 1988 to 2007. In his honor, Board members shared condolences and fond memories of Mr. Ahrend.

Supervisor Cuevas gave the Invocation and the Pledge of Allegiance was led by a local boy scout attending the meeting.

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APPROVAL OF MINUTES.

On motion by Supervisor Kyger, 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 approved the minutes of the regular meeting of June 12, 2019.

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TRANSPORTATION DEPARTMENT.

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

- The Lairs Run Road (Route 921) project is progressing and should be completed by next year;

- The North Valley Pike (Route 11) bridge project over I-81 will begin in August;
- The public hearing for the West Lee Street (Route 259) bridge project was held on June 13, 2019. The project will move forward in 2020;
- Asphalt work will occur on Massanetta Springs Road (Route 687) next week;
- Part of Silver Lake Road/College Street (Route 701) in Dayton will be closed four weeks to replace the Cooks Creek bridge with a box culvert;
- Pavecon is completing overlay on Longs Pump Road (Route 721);
- Adams Construction will begin overlay work to portions of I- 81 after July 4;
- Recent maintenance included mowing, brush cutting, ditching, and rural rustic work.

Mr. Komara notified Supervisor Chandler that a stop bar was added at the intersection of Indian Trail Road (Route 620) and Mountain Valley Road (Route 620) in Keezletown; and notified Supervisor Wolfe-Garrison that a speed study will be conducted in Belmont due to on-going speeding concerns.

Supervisor Wolfe-Garrison reported that there are massive potholes along Linhoss Road (Route 735) north of Dayton, and indicated the bridge has deteriorated significantly.

Supervisor Kyger pointed out that Bowman Road (Route 732) is worn down from horse and buggy traffic, making the road uneven.

Mr. Komara highlighted several projects recently approved by The Commonwealth Transportation Board and pointed out that Revenue Sharing and Transportation Alternative Program (TAP) pre-applications are due by July 1, 2019.

There was discussion regarding funding requests for the Garbers Church Road (VA Route 42) bike and buggy project and whether the Board is willing to pursue the engineering, design and right-of-way acquisition via TAP funding and apply for Revenue Sharing funds for the remainder of the project, which could be two years out. After further discussion, it was decided that if the Revenue Sharing route does not work out for the remainder of the project, the project would sit until another funding source is obtained.

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PRIMARY ELECTION AND ACCEPTANCE OF ABSTRACTS OF VOTES.

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 instructed the Clerk to spread the following abstract of votes from the June 11, 2019 Democratic and Republican Primary Election in the minutes:

ABSTRACT of VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
at the 2019 June Democratic Primary Election held on June 11, 2019 for,

Member House of Delegates
District: 026

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Brent M. Finnegan	590
Catherine Anne Copeland	226
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
at the 2019 June Republican Primary Election held on June 11, 2019 for,

Member Senate of Virginia
District: 024

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Emmett W. Hanger, Jr.	1476
Tina M. Freitas	1062
Total Number of Overvotes for Office	0

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COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. King's staff report dated June 19, 2019.

Rockingham Park at the Crossroads Field Rental Fees

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 adopted the following fee structure for the Rockingham Park at the Crossroads:

Rockingham Park at the Crossroads
Field Rental Pricing

All Athletic Fields (Baseball, Softball, Multi-purpose)

Single Use:

Hourly Rate (Full Price)	Hourly Rate (Discounted)	All Day/Tournament Rate
\$30	\$20	\$110

Seasonal Use:

Short-term Seasonal Rate (10-24 total uses)	Long-term Seasonal Rate (Over 25 total uses)
\$10 per hour	\$8 per hour

Fee Structure

No Charge:

All County Parks and Recreation activities and programs, Rockingham County Public Schools activities, Rockingham County youth leagues (affiliated, sponsored or scheduled by the County Parks and Recreation department).

Discounted Hourly Rates (Single Use):

Rockingham County adult leagues, any groups/teams that are not affiliated with the County Parks and Recreation department, but have at least 80 percent of its participants residing within the boundaries of the County, County residents (private-use), church groups, seasonal groups, not-for-profit organizations or affiliations within the County.

Full Hourly Rate (Single Use):

Non-recreational teams, for-profit groups/organizations, tournaments or events, not-for-profit organizations outside of the County, and groups or affiliations where less than 80 percent of the participants reside in the boundaries of the County.

Seasonal Rate:

Discounted rate for groups in the County that desire to secure multiple slots for weekly practice.

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ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's Economic Development & Tourism staff report dated June 26, 2019.

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FINANCE DIRECTOR'S STAFF REPORT.

Finance Director Davidson reported the County received its 37th Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Ms. Cooper's staff report dated June 26, 2019.

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COMMITTEE APPOINTMENTS.

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 Annette Sprinkel to the Community Services Board for a term to expire June 30, 2022.

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CODE OF VIRGINIA § 15.2-1414.2. SALARIES TO BE FIXED BY THE BOARD.

Supervisor Kyger made a motion for the Board of Supervisors to set \$25,000 as the maximum admissible annual compensation for board members. He emphasized that this is not a motion to set that or any amount as the annual compensation, as annual compensation will continue to be set during the annual budget process. This motion is merely to establish the maximum amount the compensation could be, he said.

The motion was seconded by Supervisor Chandler.

Supervisor Kyger reported that the Code of Virginia stipulates that prior to July 1, 2019, the Board, by a recorded vote of a majority present, shall set a maximum annual compensation which will become effective as of January 1, 2020.

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 set a maximum Board member salary limit of \$25,000, effective January 1, 2020.

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CLOSED MEETING.

On motion by Supervisor Wolfe-Garrison, 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 recessed the meeting from 6:39 p.m. to 7:10 p.m., for a closed meeting pursuant to Section 2.2-3711.A(1), Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and (5), Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business’ or industry’s interest in locating or expanding its facilities in the community.

MOTION: SUPERVISOR CHANDLER
SECOND: SUPERVISOR KYGER

RESOLUTION NO: 19-06
MEETING DATE: JUNE 26, 2019

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, KYGER, WOLFE-GARRISON
NAYS: NONE
ABSENT:

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PUBLIC HEARING – ORDINANCE AMENDMENT.

At 7:11 p.m., Chairman Breeden opened the public hearing and Planning Director Dyjak reviewed the following ordinance amendment:

OA19-111 Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-703 (Landscaping) to eliminate buffer area requirements in all zoning districts.

Mr. Dyjak reported that this is a staff-generated request to address recurring issues identified during site plan reviews, where arbitrary restrictions were discovered in particular areas.

The Planning Commission recommended approval by a 4-0 vote on June 4, 2019.

No members of the public commented regarding the request.

Chairman Breeden closed the public hearing at 7:16 p.m.

On motion by Supervisor Wolfe-Garrison, 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 adopted the following ordinance amendment:

**ORDINANCE REPEALING
AND
RESERVING SECTIONS 17-703.04 - .06
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

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

That **Section 17-703.04- Buffer areas, Section 17-703.05- Buffer planting requirements, and Section 17-703.06- Buffer areas against vacant properties**, hereby are repealed in their entirety and that Sections 17-703.04, .05 & .06 be hereby reserved. All other parts of Section 17-703 are re-affirmed.

This ordinance shall be effective from the 26th day of June, 2019.

Adopted the 26th day of June, 2019.

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REZONING – MLK PRESTON LAKE, LLC.

Director of Planning Dyjak recalled that at its March 27, 2019 meeting, the Board waived the requirements to hold a public hearing for MLK Preston Lake, LLC in accordance with the Code of Virginia Section 15.2-2302.B. He reviewed the following rezoning request which does not intensify use or density:

REZP19-113 MLK Preston Lake, LLC, requesting an amendment to the existing approved Preston Lake Master Plan (retaining the R-5C Planned Neighborhood District with conditions) by designating a senior group home to be located within the 7-acre portion of a parcel situated in the northwest corner of Boyers Road (Route 704) and Stone Spring Road (VA 280). Portion of Tax Map Parcel #125-(18)-L2, Election District #3.

Carl Snyder from Valley Engineering was available for questions, on behalf of the applicant. He said the applicant is very committed to the project and would like to begin as soon as possible.

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 REZP19-113 MLK Preston Lake, LLC, for an amendment to the existing approved Preston Lake Master Plan (retaining the R-5C Planned Neighborhood District with conditions) by designating a senior group home to be located within the 7-acre portion of a parcel situated in the northwest corner of Boyers Road (Route 704) and Stone Spring Road (VA 280). Portion of Tax Map Parcel #125-(18)-L2, Election District #3.

(A copy of the Master Plan and Narrative Statement are attached to and made a part of these minutes)

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ADJOURNMENT.

Chairman Breeden declared the meeting adjourned at 7:28 p.m.

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Chairman