

June 27, 2018

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, June 27, 2018, at 6:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

SALLIE WOLFE-GARRISON, Election District #2
RICKY L. CHANDLER, Election District #3
MICHAEL A. BREEDEN, Election District #5

PABLO CUEVAS, Election District #1 was absent
WILLIAM B. KYGER, JR., Election District #4 was absent

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
RHONDA H. COOPER, Deputy Director of Community Development
KELLY S. GETZ, Code Compliance Officer
DIANA C. STULTZ, Zoning Administrator
TAMELA S. GRAY, Deputy Clerk
DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation
C. BURGESS LINDSEY, Assistant Residency Administrator
Virginia Department of Transportation

oooooOooooo

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

Vice-Chairman Breeden called the meeting to order at 6:03 p.m.

Supervisor Chandler provided the Invocation and Administrator King led the Pledge of Allegiance.

Vice-Chairman Breeden indicated that Chairman Cuevas was not in attendance due to a family member with a health issue.

Vice-Chairman Breeden stated that Ordinance Amendment OA18-143, Amendment to the Rockingham County Code, Chapter 17, (Zoning), Section 17-607 (Supplemental standards for some land uses) to remove item E under mini-storage facility, which now requires, in the A-1 and A-2 zoning districts, storage shall only occur within an agricultural structure at least three (3) years old, will not be heard until July 11, 2018, at 6:00 p.m.

oooooOooooo

APPROVAL OF MINUTES.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Chandler, and carried by a vote of 3 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – ABSENT; KYGER – ABSENT; WOLFE-GARRISON – AYE; the Board approved the minutes of the regular meeting of June 13, 2018.

ooooOoooo

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 noted drainage pipes have been replaced on several roads that experienced excessive flooding, and VDOT continues to repair storm-damaged roads.

Mr. Komara said VDOT has been mowing along primary and secondary roads, as well as grading gravel roadways.

Mr. Komara announced that the economic access grant request for Crowe Drive off Cecil Wampler Road (Route 704) was approved for \$500,000. VDOT will provide up to \$150,000 in addition funds if the County provides matching funding of \$150,000, bringing the total to \$800,000 for the project. Mr. Armstrong noted this grant was brought before the Board in May 2018.

Revenue Sharing for the Spotswood High School entrance, including dual left turn lanes on Route 33 and widening the railroad crossing, was approved. A grant was also received to install gates and flashing lights at the railroad crossing on Stover Drive (Route 649), off Spotswood Trail (Route 33). Both of these projects are scheduled in two years.

Mr. Komara noted that a \$200,000 Dayton project to help with drainage issues was approved, and will be matched by \$200,000.

Administrator King questioned whether Revenue Sharing funds can be used for drainage improvements in subdivisions. Mr. Komara said Revenue Sharing can be used for storm drainage if the pipes needing replacement cross a roadway.

Administrator King invited Mr. Komara to attend the Storm Water Management Work Session on July 11, 2018, at 1:30 p.m. in the Community Development Community Room.

ooooOoooo

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

Mr. Komara noted that the County used to receive \$5 to \$6 million a year, or \$30 to \$36 million over six years, for secondary road projects. Currently, the amount received over six years is almost \$7 million, so VDOT tries to stretch the limited funds as far as possible. Previously, funding received was for hard surface roads and bridges, but now the funding is for gravel roads. However, VDOT has included some primary projects, Mr. Komara said.

Mr. Komara reviewed the road projects included in the Construction Program Estimated Allocations for the Secondary System in detail, providing the status of roads that are under construction or completed. He noted the program concentrates on the first two to three years, which are solid; but the last three years are more liquid as other projects are needed.

At 6:28 p.m., Vice-Chairman Breeden opened the public hearing to hear public comments on VDOT's Secondary Road Six-Year Improvement Program.

Wayne Beaman said he and his wife, Joy, live in Crossroads Farm. They purchased property on Slab Road (Route 734) in 2017. He said Supervisor Kyger informed him that paving of Slab Road is scheduled in 2022. He and two adjoining neighbors would like a rough tar and chip surface applied as soon as possible to upgrade two-tenths of a mile on the western end of Slab Road. Mr. Beaman said they knew it was a terrible road with dust when he and his wife

purchased their home. He also understands VDOT is busy working elsewhere to repair roads damaged during the torrential rains, but he hopes a rough tar and chip surface can be applied by the end of 2018.

Mr. Beaman went on to say there are currently huge potholes on both ends of Slab Road. When the weather is dry, they also have dust from the road. The road carries heavy traffic, including tractor trailers, straight trucks and farm trucks and equipment. Mr. Beaman noted he was not complaining about the traffic, but reiterated that all motorists using Slab Road will benefit from a temporary surface until the road is paved.

Edgar Yancey stated that he lives on Indian Trail Road (Route 717) between Mauzy Athlone Road (Route 608) and Martz Road (Route 806). He expressed concerns that, when an accident blocks Interstate 81, motorists follow their GPS which routes them down the dirt road and across a one-lane bridge. He noted that a tour bus recently tried to navigate the route, causing a half-mile backup, then a tractor-trailer had to back up a half mile because the bridge does not accommodate tractor-trailers.

In response to a question from Administrator King, Mr. Yancey stated the one-lane bridge is on Mauzy Athlone Road (Route 608). Mr. Komara stated that VDOT tried to make the bridge two lanes wide, but some residents wanted it to remain one-lane and there were other concerns.

Mr. Yancey said he counted 200 to 220 cars in two hours on the dirt road, and noted there have been at least four blockages as trucks cannot get across the bridge. He said it took a wrecker over two hours to free one truck that was stuck on the bridge. Mr. Yancey stated his main concern is that there is no way for emergency vehicles to respond to neighbors, if needed.

Supervisor Chandler indicated trucks diverted from Interstate 81 at Weyers Cave travel on Cross Keys Road (Route 276) to the southern end of Indian Trail Road.

Mr. Yancey said Indian Trail Road looks like it is two lanes at the intersection of Martz Road (Route 806), but narrows as motorists travel north, then turns into a gravel road. He noted there is a low-water bridge that is not able to accommodate that much traffic.

Mr. Komara indicated that VDOT has installed signs informing motorists that this is not an alternate route (for vehicles over 30 feet in length), but he will ensure the signs are still posted. He noted that people follow their GPS even if there is a sign.

In response to a question from Mr. Miller regarding whether it is an enforceable violation for motorists who travel the road in contradiction with the sign, Sheriff Hutcheson said they could be ticketed, but indicated that would not help the problem.

Supervisor Chandler suggested widening Indian Trail Road.

A concerned dairy farmer, who has lived on Muddy Creek Road (Route 752) for 45 years, expressed concern about large trucks on County roads. He explained that, depending on the height of vehicles, a large sign that points to Mt. Clinton and a tree limb hanging down obstruct the view of oncoming traffic on Rawley Pike (Route 33) for motorists wanting to pull out from Muddy Creek Road. At his home, there is no shoulder on the road and there is a steep embankment, he said.

The citizen also expressed concerns about limestone rocks close to the blacktop road that ruin the tires on farmers' equipment and a house on Singers Glen Road (Route 763) that sits so close to the road that the gutter on the house almost sticks out over the road.

The concerned citizen indicated there are three dairy farms and two large poultry farms on Muddy Creek Road. He noted hundreds of trailer trucks transporting feed, milk, livestock and other agricultural-related goods travel on Muddy Creek Road within a year. He said farmers want to provide Shenandoah Valley food products to others, but the roads need to be wide enough for the trucks to pass each other and school buses.

Another gentleman in the audience added that visibility is bad at the intersection of Cooks Creek Road (Route 701) and Rawley Pike (Route 33). He does not think it would be expensive to trim brush and trees to improve visibility at the intersection.

At 6:51 p.m., Vice-Chairman Breeden closed the public hearing and reconvened the regular meeting for Board members to provide requests to Mr. Komara.

Supervisor Wolfe-Garrison noted that Mr. Komara heard several situations in District 2 that need attention. She rode through the Dayton and Montezuma area where there are numerous gravel roads and noticed the sides of the roads have deteriorated due to water standing on them, but she is aware that VDOT staff is addressing those issues as fast as they can.

Supervisor Chandler informed Mr. Komara that VDOT did a great job paving Pineville Road (Route 672), and expressed appreciation to VDOT for packing the shoulders tight with stone. He received numerous favorable comments from his constituents.

Vice-Chairman Breeden questioned whether Mr. Dean from VDOT had a chance to look at Hensley Hollow (Route 622) where the school bus turns around to see how the road held up with all the rain. Mr. Komara said he would look at the road.

Administrator King informed Mr. Komara that VDOT broke a water line on McGaheysville Road (Route 996) with a milling machine.

Mr. Komara requested that the Board adopt the Secondary Six-Year Improvement Program, if they are content with it.

On motion by Supervisor Chandler, seconded by Supervisor Wolfe-Garrison, and carried by a vote of 3 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – ABSENT; KYGER – ABSENT; WOLFE-GARRISON – AYE; the Board adopted the Secondary Six-Year Improvement Program as presented for Fiscal Years 2019-2020 through 2024-2025 as follows:

Secondary System
Rockingham County
Construction Program
Estimated Allocations

Fund	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	Total
CTB Formula – Unpaved State	\$911,859	\$830,452	\$0	\$0	\$0	\$0	\$1,742,311
Secondary Unpaved Roads	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TeleFee	\$212,725	\$212,725	\$212,725	\$212,725	\$212,725	\$212,725	\$1,276,350
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	\$1,166,020	\$746,024	\$990,446	\$990,446	\$3,892,936
Total	\$1,124,584	\$1,043,177	\$1,378,745	\$958,749	\$1,203,171	\$1,203,171	\$6,911,597

ooooOoooo

COUNTY ADMINISTRATOR’S STAFF REPORT.

The Board received and reviewed Administrator King’s staff report dated June 22, 2018.

Administrator King noted that abstracts of votes were provided for the Primary Election held on June 12, 2018.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Chandler and carried by a vote of 3 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – ABSENT; KYGER – ABSENT; WOLFE-GARRISON – AYE, the Board instructed the Clerk to spread the following abstracts of votes from the June 12, 2018 Primary Election in the minutes:

ABSTRACT of VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
at the 2018 June Republican Primary Election held on June 12, 2018 for,

United States Senate

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Corey A. Stewart - Republican	1721
Nick J. Freitas - Republican	1005
E. W. Jackson - Republican	378
Total Write-In Votes	0
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
at the 2018 June Democratic Primary Election held on June 12, 2018 for,

Member House of Representatives

District: 06

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Jennifer Lynn Lewis - Democratic	803
Peter J. Volosin - Democratic	278
Charlotte Ann Moore - Democratic	214
Sergio A. Coppola II - Democratic	141
Total Write-In Votes	0
Total Number of Overvotes for Office	0

Administrator King asked that the Board authorize Assistant County Administrator Armstrong to sign documents on behalf of the County in the event the County Administrator or County Attorney are not available.

On motion by Supervisor Chandler, seconded by Supervisor Wolfe-Garrison and carried by a vote of 3 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – ABSENT; KYGER – ABSENT; WOLFE-GARRISON – AYE, the Board authorized Assistant County Administrator Casey B. Armstrong to sign documents if the County Administrator or County Attorney are not available.

oooooOooooo

ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's Community Development staff report dated June 27, 2018.

Supervisor Wolfe-Garrison confirmed with Ms. Cooper that there is a Metropolitan Planning Organization Public Hearing for buggy and bicycle lanes on Garbers Church Road (Route 726) on July 19, 2018, from 4 p.m. to 6 p.m. in the Dayton Town Hall.

Supervisor Chandler stated he had a follow-up on rezoning request REZ18-011 for Randy Cosner that was approved on April 25, 2018. Mr. Cosner provided additional proffers limiting the use to residential town houses only, and he will construct a shared-use path along the section of Boyers Road (Route 704) where the proposed site is located.

Supervisor Chandler made a motion to approve REZ18-011, Randy Cosner, PO Box 609, Broadway VA 22815, to rezone a 1.546-acre parcel located on the northwest side of Boyers Road (Route 704) approximately 350 feet north of Cullison Court (Route 1013), from A2 (General Agricultural) to R3-C (General Residential with Conditions), with the following additional proffers. The Comprehensive Plan identifies the area as Mixed Use Center. Tax map #125-(A)-L223B. Election District 3.

There was no second to the motion.

Supervisor Chandler called for the question and asked that the Board vote.

Mr. Miller stated that Supervisor Wolfe-Garrison was recusing herself due to concerns under a Conflict of Interest Act (COIA), but she would remain in the room for the purpose of a quorum.

Vice-Chairman Breeden noted that he had a motion, a call for the question and an explanation for Supervisor Wolfe-Garrison abstaining from voting.

Carried by a roll call vote of 2 to 0 to 1, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – ABSENT; KYGER – ABSENT; WOLFE-GARRISON – ABSTAIN; the Board approved REZ18-011, Randy Cosner, PO Box 609, Broadway VA 22815, to rezone a 1.546-acre parcel located on the northwest side of Boyers Road (Route 704) approximately 350 feet north of Cullison Court (Route 1013), from A2 (General Agricultural) to R3-C (General Residential with Conditions), with the following additional proffers. The Comprehensive Plan identifies the area as Mixed Use Center. Tax map #125-(A)-L223B. Election District 3.

Proffer:

Subject: Proposed Rezoning – Proffer Statement

Applicants Name: Randy Cosner

Owners Name: Incarnation Properties LLC

Date: 5/21/18

Rezoning Case Number REZ18-011

Tax Map Number: 125-(A)-L223B

I, Randy Cosner, hereby proffer that the use and development of this property shall be limited to residential townhouses only.

I, Randy Cosner will also construct a shared use path along Boyers Rd. during site development that meets County and VDOT standards and will be completed before the last Certificate of Occupancy is issued.

oooooOooooo

FINANCE DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Davidson's staff report dated June 15, 2018. She reported that the auditors are working in the County Administrator Center and met with Supervisors Breeden and Chandler. The auditors are available to meet with other board members if desired, she said.

oooooOooooo

PUBLIC WORKS DIRECTOR'S STAFF REPORT.

Mr. Rhodes did not provide a written report, and was not in attendance as he was overseeing the repair of a water leak earlier in the day.

oooooOooooo

PUBLIC HEARING – ORDINANCE AMENDMENTS.

Vice-Chairman Breeden opened the public hearing at 7:00 p.m., and announced, for anyone that was not present at the beginning of the meeting, that Ordinance Amendment OA18-143, Amendment to the Rockingham County Code, Chapter 17, (Zoning), Section 17-607 (Supplemental standards for some land uses) to remove item E under mini-storage facility, which now requires, in the A-1 and A-2 zoning districts, storage shall only occur within an agricultural structure at least three (3) years old, will not be heard until July 11, 2018, at 6:00 p.m.

Ms. Stultz noted that the public hearing for Ordinance Amendment OA18-143 would need to be scheduled on July 25, 2018, because it was too late to advertise it for the July 11, 2018 meeting. Mr. Miller noted that anyone who is interested in Ordinance Amendment OA18-143 and wants to participate in the public hearing should be in attendance. If OA18-143 is postponed to a date certain of July 11, 2018 at 6:00 p.m., interested parties are now aware of the new date, and it does not need to be advertised again.

Ms. Stultz reviewed the following ordinance amendment:

OA18-129 Amendment to the Rockingham County Code, Chapter 17 (Zoning Ordinance), Section 17-607 (Supplemental standards for certain land uses) to state that the owner of the property or the manager must be present on the property during an event unless associated with a farm winery.

Ms. Stultz noted that the current supplemental standard for an event center located within a residence or in a building on the same parcel as a residence, indicates "the owner or manager shall live on the property." Staff would like to change that language in the A-1, A-2 and R-V districts to read, "The owner or manager shall be present on the property during an event and shall provide full-time management of the establishment during the event."

Ms. Stultz indicated there are very few other businesses where the County requires the owner to live on the property.

The Planning Commission recommended approval of Ordinance Amendment OA18-129 by a 4-0 vote on June 5, 2018, concurring with staff's recommendation that it is not necessary for someone to live on event center property.

No one spoke regarding the ordinance amendment.

Vice-Chairman Breeden closed the public hearing at 7:03 p.m.

On motion by Supervisor Chandler, seconded by Supervisor Wolfe-Garrison, and carried by a roll call vote of 3 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - ABSENT; KYGER – ABSENT; WOLFE-GARRISON – AYE; the Board adopted the following ordinance amendment:

**ORDINANCE
REPEALING AND RE-ENACTING
CERTAIN PORTIONS OF
SECTION 17-607
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

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

That these portions of Section 17-607. Supplemental Standards for Certain Land Uses specified below are hereby repealed and re-enacted as follows:

Section 17-607. Supplemental standards for certain land uses

Event center.

In the A-1 and A-2 districts, shall be either:

- (1) A permitted use as an assembly building, as defined in the Uniform Statewide Building Code, where associated with and accessory to a licensed farm winery, farm brewery, farm cider mill, farm distillery, or an on-farm establishment as permitted under Virginia State Code Section 15.2-2288.6.
 - a. Hours of operation shall be from 6:00 a.m. to 11:00 p.m. and may continue until 1:00 a.m. Saturday and Sunday mornings and holidays provided the event is held entirely indoors so that light and sound generated by the event do not leave the premises after 11:00 p.m.
- (2) A special use permit where located within a residence or in a building on the same parcel as a residence, where:
 - a. The owner or manager shall be present on the property during an event and shall provide full-time management of the establishment during the event.
 - b. Hours of operation shall be limited to 6 a.m. to 11:00 p.m. and may continue until 1:00 a.m. Saturday and Sunday mornings and holidays provided the event is held entirely indoors so that light and sound generated by the event do not leave the premises after 11:00 p.m.
- (3) All applicable local, state, and federal regulations shall be met, including, but not limited to the Uniform Statewide Building Code and Fire Code.

In the R-V districts:

- (1) The event center shall be located within a residence or in a building on the same parcel as a residence.
- (2) The owner or manager shall be present on the property during an event and shall provide full-time management of the establishment during the event.

- (3) Hours of operation shall be limited to 6 a.m. to 11:00 p.m. and may continue until 1:00 a.m. Saturday and Sunday mornings and holidays provided the event is held entirely indoors so that light and sound generated by the event do not leave the premises after 11:00 p.m.
- (4) All applicable local, state, and federal regulations shall be met, including, but not limited to, the Uniform Statewide Building Code and Fire Code.

ooooOoooo

PUBLIC HEARING – REZONING.

At 7:04 p.m., Vice-Chairman Breeden opened the public hearing and Mr. Getz reviewed the following rezoning request:

REZ18-123 Thomas Salyer, PO Box 842, Harrisonburg VA 22803, to rezone a 1.35-acre parcel located on the east side of North Valley Pike (Route 11) approximately 700' north of Suffolk Drive (Route 1340) from A2 (General Agricultural) to B1C (General Business with Conditions). The Comprehensive Plan identifies the area as mixed use and within the Urban Growth Boundary. Tax map #95A-(1)-L1. Election District 2.

Mr. Getz pointed out nearby businesses on the aerial view. He noted that the property has been the home of Salyer's Mobile Home Transport.

Mr. Getz emphasized that the applicant submitted a proffer limiting the uses on the property to the existing manufactured home transport business and a display lot for Old Hickory Storage Buildings.

The Planning Commission recommended approval by a 4-0 vote on June 5, 2018, concurring with staff's recommendation as the property is located approximately 0.3 mile north of the Interstate 81/North Valley Pike exit and the area already has a mix of residential and commercial uses, including Mr. Salyer's existing business. Although the zoning of this property and adjoining parcels is agricultural, many of the properties already have commercial uses in an area designated as mixed use in the comprehensive plan.

Supervisor Wolfe-Garrison asked if the use will increase traffic in and out of the property to see the displays. Mr. Getz noted that VDOT considered it low volume commercial and said the entrance would have to be narrowed. The applicant's daughter, Amanda Cousins, submitted a site plan, which Site Plan Manager Pete Kesecker reviewed. Mr. Getz submitted the recommended VDOT changes, which will be handled at the site plan level.

Amanda Cousins was in attendance.

No one spoke in opposition to the request.

Vice-Chairman Breeden closed the public hearing at 7:08 p.m.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Chandler, and carried by a roll call vote of 3 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - ABSENT; KYGER – ABSENT; WOLFE-GARRISON – AYE; the Board, with the following proffer and additional condition that the applicant will work with VDOT on an acceptable entrance, approved REZ18-123, Thomas Salyer, PO Box 842, Harrisonburg VA 22803, to rezone a 1.35-acre parcel located on the east side of North Valley Pike (Route 11) approximately 700' north of Suffolk Drive (Route 1340) from A2 (General Agricultural) to B1C (General Business with Conditions). The Comprehensive Plan identifies the area as mixed use and within the Urban Growth Boundary. Tax map #95A-(1)-L1. Election District 2:

Proffer:

Re: Amanda Cousins/Thomas Salyer

Owners Name: Thomas Salyer

Date: 03/12/2018

Rezoning Case Number: #

Tax Map Number: 95A(1)-1A

The property at 4328 North Valley Pike Harrisonburg, VA 22802 shall only be used as continued business of Salyer Inc. Mobile Home Transport and the New lot/Display lot for Old Hickory Storage Buildings.

ooooOoooo

COMMITTEE REPORTS.

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

CHAMBER OF COMMERCE

Supervisor Wolfe-Garrison indicated the Chamber of Commerce will meet June 28, 2018.

FINANCE

Mrs. Davidson stated no changes have been made to the FY 2018-19 budget since it was adopted on June 13, 2018. The total appropriation to begin July 1, 2018 is \$365,672,018.

On motion by Supervisor Chandler, seconded by Supervisor Wolfe-Garrison, and carried by a roll call vote of 3 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – ABSENT; KYGER – ABSENT; WOLFE-GARRISON – AYE; the Board appropriated the FY 2018-2019 Budget as adopted on June 13, 2018, as follows:

ANNUAL APPROPRIATION FOR 2018-2019 BUDGET

GENERAL FUND

General Government Administration	\$	6,418,543
Judicial Administration		4,435,087
Public Safety		30,045,577
Public Works		2,655,115
Human Services		2,308,139
Parks, Recreation & Cultural		2,529,679
Community Development		2,994,644
Contributions		601,513
Contingency		250,000
Other Expenses		29,680
Transfers to Other Funds		68,679,656
Debt Service – County		2,843,444
Debt Service – Schools		9,517,249
TOTAL GENERAL FUND	\$	133,308,326

Capital Projects Fund	\$ 2,550,000
School Capital Projects Fund	5,900,000
School Fund	137,427,511
School Cafeteria Fund	5,529,935
Massanutten Technical Center Fund	5,987,506
Asset Forfeiture Fund	115,900
H’burg-Rockingham Soc Services District	19,567,785
H’burg-Rockingham Children's Services Act	10,208,433
Central Stores Fund	45,000
Self-Funded Health Insurance Plan Fund	30,555,120
Water & Sewer Utilities Fund	7,121,125
Lilly Subdivision Sanitary District	56,771
Smith Creek Water & Wastewater Auth	505,414
Countryside Sanitary District	19,190
Penn Laird Sewer Authority	29,017
Solid Waste Fund	4,997,126
Laird L Conrad Law Library Fund	50,585
Economic Development Authority	4,500
Human Resources Rental Fund	232,774
	1,460,000
TOTAL APPROPRIATION	\$ 365,672,018

The Board approved the Schools Capital Projects Phase 2 on June 13, 2018, for Schools to move forward with their capital projects. Mrs. Davidson explained that the Resolution to Declare an Intent to Reimburse allows the County to reimburse itself with the debt issuance later. She noted the resolution was prepared by Daniel Lauro, Bond Counsel at BotkinRose PLC.

On motion by Supervisor Chandler, seconded by Supervisor Wolfe-Garrison, and carried by a roll call vote of 3 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – ABSENT; KYGER – ABSENT; WOLFE-GARRISON – AYE; the Board adopted the following resolution:

RESOLUTION TO DECLARE AN INTENT TO REIMBURSE

WHEREAS, the Board of Supervisors of Rockingham County, Virginia, upon mature consideration, has determined that it is essential for the County of Rockingham, Virginia (the “County”) to acquire, construct, reconstruct, expand, and equip capital projects for school purposes in the County, including but not limited to Fulks Fun Elementary and John C. Myers Elementary, and payment of architect and 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 School Board of Rockingham County, Virginia (the “School Board”), upon mature consideration, has determined that a vital need exists for 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 Public School Authority (“VPSA”), or other tax-exempt financing(s) as may be necessary or convenient, 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 VPSA, 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 BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, as follows:

1. The County and/or the School Board 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 and/or the School Board 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 VPSA.
2. The maximum aggregate principal amount of bond(s) to be issued by the County in one or more series (to VPSA, 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 \$19,500,000.
3. The County or the School Board, as the case may be, 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.

SOCIAL SERVICES

Supervisor Wolfe-Garrison noted that Social Services continues to deal with significant mold and water issues in their offices and some employees remain displaced. Administrator King indicated cleaning and dehumidifying is being done as quickly as possible, and said he would check into the status of the clean-up.

oooooOooooo

CLOSED MEETING.

On motion by Supervisor Chandler, seconded by Supervisor Wolfe-Garrison, and carried by a roll call vote of 3 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – ABSENT; KYGER – ABSENT; WOLFE-GARRISON – AYE; the Board recessed the meeting from 7:13 p.m. to 7:30 p.m., for a closed meeting pursuant to 2.2-3711. A (7), Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

MOTION: SUPERVISOR CHANDLER	RESOLUTION NO: 18-13
SECOND: SUPERVISOR WOLFE-GARRISON	MEETING DATE: JUNE 27, 2018

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, WOLFE-GARRISON

NAYS: NONE

ABSENT: CUEVAS, KYGER

oooooOoooo

ADJOURNMENT.

Vice-Chairman Breeden declared the meeting adjourned at 7:30 p.m.

_____,
Chairman