

June 28, 2017

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, June 28, 2017, at 6:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

- PABLO CUEVAS, Election District #1
- FREDERICK E. EBERLY, Election District #2
- RICKY L. CHANDLER, Election District #3
- WILLIAM B. KYGER, JR., Election District #4
- MICHAEL A. BREEDEN, Election District #5

Also present:

- BRYAN F. HUTCHESON, Sheriff
- STEPHEN G. KING, County Administrator
- THOMAS H. MILLER, JR., County Attorney
- GEORGE K. ANAS, II, Assistant County Administrator
- CASEY B. ARMSTRONG, Director of Community Development
- PATRICIA D. DAVIDSON, Director of Finance
- BARRY E. HERTZLER, Director of Public Works
- JEREMY C. HOLLOWAY, Fire & Rescue Chief
- RHONDA H. COOPER, Director of Planning
- DIANA C. STULTZ, Zoning Administrator
- KELLY S. GETZ, Code Compliance Officer
- TAMELA S. GRAY, 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 Chandler called the meeting to order at 6:00 p.m. Supervisor Kyger gave the Invocation and County Administrator King led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

Supervisor Kyger noted a correction is needed to Condition 3 for SUP17-073, Hobbit Hill Farm LLC, to reflect that the hours of operation shall begin at 8 a.m., not 6 a.m.

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 approved the minutes of the regular meeting of June 14, 2017, with a correction to Condition 3 for SUP17-073, Hobbit Hill Farm LLC, as follows:

- 3. Hours of operation shall not exceed 8 a.m. to 11 p.m.

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CONSIDERATION – RESOLUTION HONORING THE UNITED WAY OF HARRISONBURG AND ROCKINGHAM COUNTY ON SIXTY YEARS OF SERVICE.

Administrator King said he previously served on the United Way Board and community investment teams. In working with Laura Toni-Holsinger, Executive Director of the United Way, he was impressed by Ms. Toni-Holsinger’s professionalism and genuine care for the community. Administrator King read the following resolution:

Resolution Honoring
United Way of Harrisonburg and Rockingham County
on Sixty Years of Service to our Community

WHEREAS, on May 14, 1956, the Harrisonburg Rockingham Chamber of Commerce invited the public to a meeting to explore the “formation of a United Fund as an agency for consolidating our numerous social and welfare fund appeals”; and

WHEREAS, “the United Fund of Harrisonburg and Rockingham was launched at a largely attended meeting at the Chamber of Commerce offices on July 2, 1957, with Charles W. Wampler, Jr. serving as temporary Chairman; and

WHEREAS, the first annual campaign raised \$44,301, which was distributed to seven local non-profit organizations in our community; and

WHEREAS, since that first campaign, the United Way and its volunteers have worked tirelessly in an annual campaign to raise over \$33 million, which has been invested in our community through supporting more than sixty nonprofit community partners; and

WHEREAS, countless community volunteers, business leaders, companies and individual donors have committed their time, energy and resources to support the ongoing mission of United Way to unite our community to empower people in need, and have worked to improve lives by strategically convening community partners to create measurable social change; and

WHEREAS, the Harrisonburg and Rockingham County community is a better place to live, work and raise a family in large part due to the concerted efforts of the many persons associated with United Way teaching our community to LIVE UNITED.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Rockingham County, Virginia that it recognizes the contribution and service to the community by United Way of Harrisonburg and Rockingham County for the past sixty years, and thanks the many persons and companies that have made this success possible.

On motion by Supervisor Kyger, seconded by Supervisor Breedon, and carried by a vote of 5 to 0, voting recorded as follows: BREEDON - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board adopted the resolution honoring the United Way on sixty years of service. Chairman Chandler presented the framed resolution to Ms. Toni-Holsinger.

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HARRISONBURG-ROCKINGHAM EMERGENCY COMMUNICATIONS CENTER – CAD-DMS SOLUTIONS UPDATE.

James L. Junkins, Director, Harrisonburg-Rockingham Emergency Communications Center, provided an update on the Computer Aided Dispatch/Data Management System project (CAD-DMS). He indicated responses to the Request for Proposal (RFP) are due June 29, 2017. He said a great deal of work has been accomplished on the CAD-DMS, and thanked Technology, Geographic Information Systems (GIS), Fire and Rescue, Sheriff and Jail staff, who are users and stakeholders in the project. Ninety individuals have been trained as evaluators to review the 1,400 different specifications for which the vendors will provide proposals.

Mr. Junkins explained that the proposals will be evaluated and eliminated until the two best proposals are selected. Those two vendors will provide a week's worth of demonstrations to show specific components they can offer to meet users' needs, as identified in a needs assessment list developed last fall. The ECC hopes to hire a long-term software partner in September for the ECC, mobile data with the CAD, jail and police records management, court services and interfaces to Fire and Rescue and EMS, as well as significant effort from the County's Technology and GIS personnel.

Administrator King indicated the daily management software should track the jail population to identify where to focus attention to help inmates. Since the software is developed for jails, staff hopes the software components will have off the shelf capabilities. If not, each component comes with a price tag and value, which will need to be weighed and considered, he said.

Mr. Junkins stated a consultant was hired to help guide staff through the process and a pre-proposal meeting was held with vendors who intended to provide a proposal. That meeting provided staff with a good idea of who will provide proposals, and those vendors produce commercial off the shelf (COS) products. He and Sheriff Hutcheson will be mindful not to use customization software that will be costly.

Supervisor Eberly questioned whether another upgrade could be needed fairly soon due to the vendor not supporting the software. Administrator King indicated that should not be the case. The software currently used is outdated DOS-type software so new software is required. He explained that Sheriff's office staff manipulate figures, and go through many complicated and confusing steps to obtain data. The ECC does not want to be reliant on individuals to calculate numbers. Administrator King noted the Sheriff and Fire Chief are moving cautiously and deliberately with the CAD-DMS and radio selection. He said Mr. Junkins' focus is to have dispatch, deputies and emergency personnel talk with each other via radio without losing communication.

Mr. Junkins said the ECC wants to purchase the most cost efficient system. He indicated a COS system and hardware help technology support the system more easily. The cost that is often overlooked is the labor to do what the software can accomplish rapidly. He said saving seconds in response time is important for the ECC, Fire and Rescue and EMS staff. Mr. Junkins cannot quantify the amount of money to be saved in eliminating the labor and inefficiencies for jail staff to perform manual calculations, but he knows there will be long-term savings.

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RADIO SYSTEM USER EQUIPMENT REPLACEMENT PROPOSAL.

Mr. Junkins noted there are about 3,000 mobile radios in vehicles and desktop stations in the City and County used by 82 agencies, with Fire and Rescue and the Sheriff's department using the majority of the radios. The County has 798 radios and covers 50 percent of the cost of an additional 460 radios used by shared services such as the Sheriff's office, jail, ECC and Harrisonburg Rescue Squad. The City pays the other 50 percent of the cost of those radios. He noted the ECC has used the current radios 10 years.

Mr. Junkins explained that a joint exercise of powers agreement was created in 2003 to guide how the City and County pay and share expenses for radios. Some radios are used by police departments in the towns, area colleges and universities, and Massanutten. Private industries such as Merck and Coors, as well as state and federal agencies use the radio system to communicate with the ECC.

In response to questions from the supervisors, Mr. Junkins confirmed that the town radios are in addition to the 798 for County departments. The towns are aware of the expense, but were not aware of the expenditure when the budget was being prepared, because no one knew the radio replacement was needed at that time.

Mr. Junkins indicated the radio replacement was originally scheduled for FY18-19 but at the request of the City and County, was delayed until FY19 -20. However, in the process of

upgrading the radio system, the ECC learned that the current radios do not have enough memory to transition from the old system to the new system. Mr. Junkins' presentation provided significant pricing incentives to obtain a 55 percent discount from list price through Harris with a no-interest loan, due to the manufacturer's problem with the radios transitioning to the new radio system. Payment for the radios can be deferred until the FY18-19 budget year, with the last payment due in June 2020.

Mr. Junkins explained that the pricing structure offered by Harris is contingent upon securing a purchase plan, so he is requesting approval from the Board to sign an agreement with Harris on June 30 to secure the pricing discount. If the County is unable to obtain financing, the agreement has a clause indicating it will be terminated and the County will not owe the manufacturer for the radio equipment. He indicated Attorneys Miller and Brown have been working on the details of the agreement. Harris is also providing a trade-in discount for the existing radios that is triple their value.

When Supervisor Kyger questioned whether the towns' payments will be the same as the County's payments, Mr. Junkins indicated the County's loan will include the town radios so their financing will be the same. As done with the initial radio purchases, the County will front the money to purchase the radios and the towns will reimburse the County under terms the County establishes with them.

Supervisor Kyger indicated he would need to talk to the two town councils in his district. Mr. Junkins said he has been in discussions with the town police chiefs, who have been authorized by the town councils to purchase radios. Over the last 10 years, the ECC has purchased radios on behalf of the towns to allow them to obtain the system discount. The ECC then issues an invoice to the towns. He noted Dayton and Bridgewater indicated they discussed the radio purchase with their council or mayor, and are prepared to purchase the radios. Mr. Junkins indicated all the police chiefs, with the exception of Timberville, have responded for the ECC to order the radios on their behalf.

In response to a question, Administrator King said he did not have discussions with the town councils or staff. Supervisor Kyger said the towns are independent elected bodies with fiscal decisions to make and he or Administrator King should receive assurance from the town governments indicating they are willing to pay for their part of the radios.

Carter Miller, who attends County Board meetings on behalf of Massanutten, informed Supervisor Breeden that Massanutten was satisfied with the notification that he took to the executive committee. The purchase was approved because the Massanutten Police cannot be out of communication.

Supervisor Kyger said he understands the towns have to purchase the radios, but since he complains about federal and state unfunded mandates placed on the County, he does not want to do that to the towns, without some communication from them.

Supervisor Cuevas confirmed that Mr. Junkins talked with the Broadway and Timberville police departments and they want to participate. Mr. Junkins indicated he received confirmation from the Broadway Police Department. The Timberville Police Chief recognizes the need to replace the radios and he was going to schedule a meeting with the town council, but he has not heard back from Timberville. Supervisor Cuevas stated it is up to the police departments how they work with their town councils. If the ECC has traditionally been working with the towns through the police department and that has occurred, Supervisor Cuevas said he is satisfied.

Mr. Junkins explained that when the original system was purchased, the towns were advised that the County and City were forming a joint radio system and if they wished to be centrally dispatched, they needed to indicate they wanted to participate. All the towns willingly did that and the police chiefs were polled to determine the kind of radios and the quantity needed. When the police chief said they wanted the radios, the ECC considered that as a purchase order to order the radios on their behalf.

During the meeting, Supervisor Breeden received a text message from Elkton Mayor Wayne Printz, who is aware of the radio purchase and is on board with it.

Mr. Junkins said if the current radios had worked with the new system and were purchased at the usual discounted price, the cost would have been \$5.2 million. Due to the conversion problem and being aggressive with the manufacturer to obtain deep discounts, the County's price, including school radios, is \$2,647,999, plus an additional \$477,415 for joint services radios for a total investment of \$3,189,108. Mr. Junkins noted that the schools recently made a \$1.2 million purchase of radios that will work on the new system.

In response to questions from Supervisor Kyger, Mr. Junkins said he obtained prices for Motorola and Kenworth radios. Since Harris and Motorola are on a state contract, they offer a 25 percent discount, and Harris provided additional discounts. The same radio from Motorola is \$500 more because the Harris list price is significantly lower. With the additional discount from Harris, a new Harris radio will be half the price of a Motorola radio. He did not ask Motorola if they would match the Harris pricing because the ECC has Harris-trained technicians who program and repair radios. The ECC cannot support two radio manufacturers to program and repair radios. When the ECC repairs radios for agencies, the agencies are not charged. The typical cost for the ECC to repair radios is \$50 to \$70 for the parts only, whereas Motorola charges \$375 to repair a radio. The County is not required to purchase Harris radios but since the ECC is so heavily invested in Harris, it is cheaper to purchase and repair Harris equipment.

Mr. Junkins emphasized that the County can obtain a no-interest loan from the manufacturer. If the County wants to pay the loan off sooner than two years, it can. The loan total for the County will be \$3,642,016, with eight quarterly payments of \$455,252.

Discussion ensued regarding possibly using P-25 phase II compatible equipment in the 800 MHz band and the Virginia State Police using the ECC system.

Mr. Junkins requested that the County Administrator be authorized to execute an amendment to the current agreement under the Harrisonburg Rockingham ECC. This is a joint agreement with the City for \$6,278,051 under the HRECC joint exercise of the power for the purchase of terminal radio equipment, and to seek a two-year, no-interest loan for payment of terminal equipment purchases after that execution.

The City Council approved their portion of the purchase and authorized the City Manager to sign the amendment if the Board authorized the County Administrator to do so. The City and County will work on their individual financing packages.

Mr. Junkins reminded the Board that the contract language indicates the execution will terminate if the loan cannot be executed. There are 45 days to work on the loan, which should be ample time, but if the County decides not to pursue this, the contract will terminate.

Chairman Chandler thanked the Board for their discussion and good questions.

On behalf of the Finance Committee, Supervisor Breeden made a motion, seconded by Supervisor Eberly, to accept Mr. Junkins' recommendation for the radio system user equipment replacement proposal, with a plan of action where Chief Holloway and Administrator King are involved and frequent updates are provided to the Board.

Supervisor Cuevas said since the City is spearheading the financing transaction, the Board needs to be informed if there are any changes. Mr. Junkins noted this is more than the City serving as the fiscal agent since financing is involved. He will come back to the Board for approval of the financial arrangement when it is finalized.

Carried by a vote of 4 to 1, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - NAY; the Board

approved the user equipment replacement proposal, with a plan of action where Chief Holloway and Administrator King are involved and frequent updates are provided to the Board.

(A copy of Mr. Junkins' presentation is included in the "Attachments – Board of Supervisors Minutes" notebook maintained in Administration.)

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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.

Mr. Komara noted Shenandoah Valley Electric Cooperative will provide a revenue sharing check for the turn lanes to be added at the intersection of South Valley Pike (Route 11) and Cecil Wampler Road (Route 704). This project will commence at the end of July or in August.

A pathway was installed between the Albert Long Drive cul-de-sac (Route 895) and the sidewalk on the east side of Port Republic Road (Route 253) to improve access to the multi-use trail for bicyclists and pedestrians on the west side of Port Republic Road.

Recent maintenance includes mowing, dust control application, shoulder-building and spot-leveling.

A bridge was replaced with a box-culvert on Timber Ridge Road (Route 668) beyond Cross Keys Vineyard.

Supervisor Kyger requested that overgrowth be trimmed along Friedens Church Road (Route 682).

On behalf of the residents, Chairman Chandler thanked VDOT for paving Layman Trussel Road (Route 719) and Indian Trail Road (Route 717).

Chairman Chandler confirmed that dust was treated on Jacksons Way (Route 955).

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PUBLIC HEARING:

ORDINANCE AMENDMENTS.

At 7:19 p.m., Chairman Chandler opened the public hearing for ordinance amendments and rezoning requests.

Ms. Stultz reviewed the following proposed ordinance amendment:

OA17-090, Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-701.05.E. Dead-end streets, public and private to remove #3 and #4 which require medians if the dead-end street is greater than 800 hundred feet.

No one spoke in favor or opposition to the proposed ordinance amendment.

Ms. Stultz reviewed the following proposed ordinance amendments together because they relate to one another:

OA17-119, Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-607. Supplemental standards for certain land uses to add supplemental standards for the bulk storage of liquid petroleum gas.

OA17-122, Amendment to the Rockingham County Code, Chapter 17 (Zoning), Table 17-606, under Agricultural Uses, add bulk storage of liquid petroleum gas in the A-1 and A-2 zoning districts by special use permit with supplemental standards (SU*).

Ms. Stultz indicated there might be more than one 30,000-gallon tank on a farm, but none of the tanks can exceed 30,000 gallons. She noted that if OA17-119 is approved, bulk storage of liquid petroleum gas will be added to Table 17-606, under A-1 and A-2 zoning districts by special use permit with supplemental standards, as outlined in OA17-122.

These proposed ordinance amendments were part of the overall supplemental standards amendment that was tabled by the Planning Commission. Since a petroleum company wants to establish bulk storage for propane on farms in outlying areas to serve customers better, the Planning Commission recommended pulling this request from the tabled action and addressing it separately. The Planning Commission voted 4-0 in recommending approval of the two ordinances pertaining to bulk storage of liquid petroleum gas. Ms. Stultz noted the bulk storage will be particularly helpful for poultry growers during inclement weather.

No one spoke in favor or opposition to these proposed ordinance amendments.

REZONING REQUESTS.

Mr. May reviewed the following rezoning requests:

REZ17-086 Shenandoah Valley Electric Cooperative, P.O. Box 236, Mt. Crawford, VA 22841 to rezone TM# 123-(A)- L33, 123-(A)- L35 and 123-(A)- L28A, located south of West Mosby Road (Route 701) and approximately 900 feet east of John Wayland Highway (Route 42), totaling 7.85 acres, from General Agriculture (A-2) to General Industrial with conditions (I-1C). The comprehensive plan identifies this area as Mixed Use Center. This parcel is located in Election District 2.

Shenandoah Valley Electric Cooperative plans to vacate the property, and Heifer Investments II, LLC currently holds a purchase contract on the property.

The Planning Commission recommended approval on June 6, 2017.

Jon Sisler, Account Manager for Shenandoah Valley Electric Cooperative (SVEC), thanked the Board and staff for their assistance with the rezoning request and approval of the property for the new SVEC headquarters. He noted the headquarters had been located on the West Mosby Road property a long time. The reason for rezoning is to sell part of the property, but they will maintain ownership of the substation portion of the property.

Chris Runion, managing member of Heifer Investments II, LLC, which he and his brother own jointly, stated they want to move Eddie Edwards Signs, Inc., to be in one building. It is currently spread out between three facilities. Since there is more space than needed, they want to rent the additional space to compatible businesses.

Mr. Runion noted that County staff has been wonderful to work with through questions and issues.

No one spoke in opposition to the request.

REZ17-093 Lori A. Cave, 9312 Garage Lane, Grottoes, VA 24441, to rezone TM#160-(A)- L36, located southwest of Port Republic Road (Route 253) and approximately 50 feet east of South East Side Highway (Route 340), totaling 45.728 acres, from Planned Growth (PG) to General Agricultural (A-2). The comprehensive plan identifies this area as Mixed Use Center. Parcel is located in Election District 3

The Planning Commission recommended approval on June 6, 2017.

The applicant previously informed County staff she could not attend the public hearing.

No one spoke in favor or in opposition to the request.

At 7:35 p.m., Chairman Chandler called the regular meeting back to order.

On motion by Supervisor Breeden, 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; EBERLY – AYE; KYGER – AYE; the Board approved the following ordinance amendment:

**ORDINANCE REPEALING
A PORTION OF
SECTION 17-701.05.E
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

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

That Sub-sections 17-701.05(e) (3) and (4) Dead-end Streets, Public and Private hereby are repealed.

All other sections and sub-sections of Section 17-701.05 remain as before.

This ordinance shall be effective from the 28th day of June, 2017.

Chairman Kyger indicated the Board would vote on the second and third ordinance amendments together since they are related.

On motion by Supervisor Kyger, seconded by Supervisor Eberly, and 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 approved the following ordinance amendments:

**ORDINANCE AMENDING
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 Section 17-607. Supplemental standards for certain land uses be amended by adding the following supplemental standards (in alphabetical order):

Section 17-607. Supplemental standards for certain land uses.

Bulk storage of liquid petroleum gas

In the A-1 or A-2 zoning district:

- (a) Up to a 30,000 gallon tank for the storage and distribution of liquid petroleum gas shall be permitted, and
- (b) Large tractor trailer deliveries to the site shall be limited to four trucks per week.

This ordinance shall be effective from the 28th day of June, 2017.

**ORDINANCE AMENDING
TABLE 17-606
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

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

That Table 17-606. Land Use and Zoning Table be amended as follows:

Table 17-606. Land Use and Zoning Table

Under Agricultural Uses:

Add:

Bulk storage of liquid petroleum gas in the A-1 and A-2 zoning districts by special use permit with supplemental standards (SU*)

This ordinance shall be effective from the 28th day of June, 2017.

Regarding the Shenandoah Valley Electric Cooperative rezoning request, Supervisor Eberly indicated it was appropriate to correct the zoning to align with the comprehensive plan.

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; ; and subject to the following proffers, the Board approved REZ17-086, Shenandoah Valley Electric Cooperative, P.O. Box 236, Mt. Crawford, VA 22841 to rezone TM# 123-(A)- L33, 123-(A)- L35 and 123-(A)- L28A, located south of West Mosby Road (Route 701) and approximately 900 feet east of John Wayland Highway (Route 42), totaling 7.85 acres, from General Agriculture (A-2) to General Industrial with conditions (I-1C). The comprehensive plan identifies this area as Mixed Use Center. This parcel is located in Election District 2.

Proffers:

Date: April 26, 2017

Tax Map Number(s) of parcels to which proffers apply: 123-(A)-33, 123-(A)-35, 123-(A)-28A

Shenandoah Valley Electric Cooperative hereby proffer(s) that the use and development of this Property zoned as General Industrial I-1 shall be in strict accordance with the following conditions:

- i. Uses allowed
 - a. Feed mill
 - b. Poultry Litter service or brokerage operation
 - c. Electronic data storage or data processing center
 - d. Research facility
 - e. Office
 - f. Motor vehicle sales lot with supplemental standards
 - g. Machinery & equipment center
 - h. Public safety facility
 - i. Child day care with supplemental standards
 - j. Warehouse with supplemental standards
 - k. Utility building
 - l. Truck Terminal
 - m. Recreational vehicle storage area
 - n. Parking facilities with supplemental standards
 - o. Mini-storage with supplemental standards
 - p. Impound lot
 - q. Electrical substation
 - r. Contractors operation
 - s. Carpet & rug cleaning service with supplemental standards
 - t. Solar energy facility, small with supplemental standards
 - u. Motor vehicle tow service
 - v. Motor vehicle repair shop with supplemental standards
 - w. Metal-working facility
 - x. Industry, Light

- ii. Allowed by Special Use
 - a. Churches or other places of worship
 - b. Auction Facility
 - c. School
 - d. College, university
 - e. Meat processing facility
 - f. Waste water treatment facility

- iii. Allowed as an Accessory use
 - a. Storage container with supplemental standards
 - b. Central energy plant
 - c. Temporary structure with supplemental standards
 - d. Accessory structure

Regarding Lori Cave's rezoning request, Chairman Chandler indicated the speed limit is under consideration by VDOT. The Town of Grottoes asked that the speed limit sign be moved back, and the speed limit be reduced to 45 miles per hour since the new development near this property is now in the town.

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 approved REZ17-093, Lori A. Cave, 9312 Garage Lane, Grottoes, VA 24441, to rezone TM#160-(A)- L36, located southwest of Port Republic Road (Route 253) and approximately 50 feet east of South East Side Highway (Route 340), totaling 45.728 acres, from Planned Growth (PG) to General Agricultural (A-2). The comprehensive plan identifies this area as Mixed Use Center. Parcel is located in Election District 3.

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RECESS.

At 7:38 p.m., Chairman Chandler recessed the meeting for a break.

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PRIMARY ELECTION AND ACCEPTANCE OF ABSTRACTS OF VOTES.

At 7:45 p.m., Chairman Chandler called the meeting back to order.

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 instructed the Clerk to spread the following abstract of votes from the June 13, 2017 Democratic and Republican Primary Election in the minutes:

ABSTRACT of VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
at the 2017 June Democratic Primary Election held on June 13, 2017 for,

Governor

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Tom S. Perriello - Democratic	1,287
Ralph S. Northam - Democratic	873
Total Write-In Votes	0
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
at the 2017 June Democratic Primary Election held on June 13, 2017 for,

Lieutenant Governor

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Susan S. Platt - Democratic	1,164
Justin E. Fairfax - Democratic	628
Gene J. Rossi - Democratic	199
Total Write-In Votes	0
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
 at the 2017 June Republican Primary Election held on June 13, 2017 for,

Governor

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Corey A. Stewart - Republican	2,293
Edward W. "Ed" Gillespie - Republican	1,494
Frank W. Wagner - Republican	221
Total Write-In Votes	0
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
 at the 2017 June Republican Primary Election held on June 13, 2017 for,

Lieutenant Governor

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Jill H. Vogel - Republican	1,458
Glenn R. Davis, Jr. - Republican	1,304
Bryce E. Reeves - Republican	1,001
Total Write-In Votes	0
Total Number of Overvotes for Office	0

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RECESS.

At 7:47 p.m., Chairman Chandler declared the regular meeting recessed for a meeting of the Penn Laird Sewer Authority.

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RECONVENE MEETING.

At 7:50 p.m., Chairman Chandler reconvened the regular meeting of the Board.

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COUNTY ADMINISTRATOR'S STAFF REPORT.

Administrator King did not have a written staff report.

He indicated Governor McAuliff declared Monday, July 3, 2017, as a holiday for State employees. When the County holiday schedule for 2017 was established, that date was not included as a holiday. The Board recently informed him and the Human Resources Director

that the County will observed July 3, 2017, as a holiday. Administrator King requested that decision be reflected in the Board minutes.

Supervisor Cuevas made a motion to approve July 3, 2017, as a County holiday, with the clarification that the change is being made because many agencies and groups have State employees who observe the holiday given by the Governor, and it would be inadequate and inefficient to have partial coverage at locations where there are also State services. Supervisor Kyger seconded the motion. Carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER – AYE; CUEVAS - AYE; EBERLY – AYE; KYGER - AYE; the Board added July 3, 2017 to the 2017 holiday schedule.

In response to a question from Supervisor Cuevas, Administrator King noted the City of Harrisonburg is observing July 3, 2017, as a holiday.

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COUNTY ATTORNEY’S STAFF REPORT.

Mr. Miller did not have a written staff report.

Mr. Miller noted that staff would like to advertise a public hearing for the sale of the real estate in the technology park, now known as Innovation Village @ Rockingham, located on North Valley Pike (Route 11). State Code requires a public hearing before a local government transfers title, and there is no record of the Board having held a public hearing. The land was purchased with the idea of leasing, selling or transferring it, but as the County rejuvenates the desire to sell or lease the land, staff wants to hold a public hearing so the Board minutes will indicate that has occurred.

Supervisor Cuevas asked if the Board is under the assumption that the advertisement is for land and buildings with conditions indicating a purchaser will not be able to take possession immediately to allow a reasonable time to deal with agreements in place. Mr. Miller responded that the advertisement will simply need to indicate that it is the intent of the County to sell or long-term lease any of that real estate through a public or private sale. By making the advertisement broad and not being specific, any transaction that occurs is covered by the public hearing. He noted the County will honor any outstanding leases.

By consensus of the Board, staff was authorized to prepare and publish an advertisement for a public hearing for the sale of the Innovation Village @ Rockingham technology park property, located on North Valley Pike (Route 11).

Mr. Miller reported that the Rockingham County Electoral Board requested an ordinance amendment to relocate the 504-South Fork polling precinct currently located in the Gooden Brothers VFW Post on Spotswood Trail, as the location is not serving its purpose as a voting precinct and will not be able to in the future. The Electoral Board recommends that the polling place be changed to River Bend Elementary School for the upcoming November 7, 2017 general election, and be the permanent location for the 504-South Fork voting precinct. The County has been informed that the voting precinct change was discussed with the school division, which agrees.

The next step is to advertise an intent to adopt the ordinance amendment. The change needs to be enacted no less than 60 days before the next election.

Supervisor Breeden stated River Bend Elementary School is a more user-friendly polling location, and recommended consensus to proceed with drafting an ordinance and advertising the intent to adopt the ordinance.

By consensus of the Board, staff was authorized to advertise an intent to adopt an ordinance to change the polling place for the 504-South Fork voting precinct to River Bend Elementary School located at 14556 Rockingham Pike, Elkton, Virginia, at the July 19, 2017 Board Meeting.

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ASSISTANT COUNTY ADMINISTRATOR’S STAFF REPORT.

The Board received and reviewed Mr. Anas’ staff report dated June 28, 2017, and Mr. Anas asked the Board members to contact him with any questions.

Mr. Anas reminded the Board that in September of 2016, the County joined with Winchester – Frederick County, Harrisonburg and Shenandoah County to create the Shenandoah Spirits Trail to fund marketing efforts related to tourism opportunities in the Valley. The Virginia Wine Marketing Board awarded \$22,000 to offset marketing efforts for the Shenandoah Spirits Trail. He noted this is an example of how the economic development department tries to hedge to save money when possible.

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FINANCE DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Davidson’s staff report dated June 16, 2017.

Mrs. Davidson indicated a list of items that had already been declared surplus was provided to the Board. She noted there was no interest in the items on the list so they should be discarded.

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 authorized the following items to be discarded:

Items to Discard – June 2017

Description	Quantity
Camcorder	
Filing Cabinets	
Desk	
Fax Machine	
Typewriter/Calculator	
Filing Cabinet	
Printer/Computer Table	
Desk	

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PUBLIC WORKS DIRECTOR’S STAFF REPORT.

Mr. Hertzler did not have a written staff report.

He pointed out that the landfill and container sites will be open July 3, 2017. Employees at those locations will receive a holiday return to take a day off at another time. Supervisor Kyger noted that when County offices are closed, the landfill is often in operation for the convenience of citizens.

Supervisor Kyger applauded the new landfill facilities.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong’s staff report dated June 28, 2017.

Mr. Armstrong reported that work on the Reservoir Street road-widening project began with mass grading and installation of erosion control devices. A median strip was removed at the intersection of Stone Spring Road, to create the temporary travel lane for the project. Sediment basins were also installed.

He noted that the County is waiting on Verizon to complete the utility relocation for the Route 33 turn lane and road-widening project. Mr. Armstrong said 60 to 70 percent of the conduit is complete, and boring is occurring in two places on Route 33. Dominion Virginia Power will be contacted to move a guy-wire pole so dirt can be moved.

Ms. Cooper reported that Keith Sheets, the developer of Overbrook in the McGaheysville area, originally provided a proffer limiting the number of units to be platted and recorded in a calendar year. He would like to amend the proffer, which will not change the use or density. Therefore, pursuant to Code of Virginia §15.2-2302.B, the Board may waive the requirement for a public hearing.

Supervisor Breeden indicated the amended proffer is needed for planning to build out the lots.

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; per §15.2-2302.B of the Code of Virginia, the Board waived the public hearing requirement for Overbrook since the proposed amendment to the proffer does not affect the use or density.

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COMMITTEE REPORTS.

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

FINANCE

Supervisor Breeden reviewed the following supplemental appropriations:

Economic Development – 2016-2017 Supplemental Appropriation

The FY17 Economic Development budget is over the amount allocated for the year due to the inclusion of a new participant in the Technology Zone Grant. Two years of grant payments were paid out of the FY17 budget. The overage is \$375,000.

Supplemental Appropriation: \$375,000

\$375,000	GL Code: 1001-00000-15201-000-352000-000	General Fund: Fund Reserve
\$375,000	GL Code: 1001-08102-00000-000-505890-000	Economic Development: Technology Zone Grant

School Capital Projects – 2017-2018 Supplemental Appropriation

The FY18 budget required a transfer of \$50,000 to the School Capital Projects fund for infrastructure needs for digital conversion. The transfer was not included in the adopted budget for fiscal year 2018. Staff requests approval to transfer \$50,000 to the School Capital Projects fund from the County Capital Projects fund for this purpose.

Supplemental Appropriation: \$50,000

\$50,000	GL Code: 1101-00000-15201-000-352000-000	Capital Projects: Fund Reserve
\$50,000	GL Code: 1101-09301-00000-000-509513-000	Transfer to School Capital Projects

Sheriff and Jail Department

The 2017 General Assembly approved a salary compression pay raise effective August 1, 2017, for sworn sheriffs’ deputies and regional jail officers with three or more years of service, up to a maximum of 30 years of service. The details of this pay adjustment have been made available for calculation by the localities. Rockingham-Harrisonburg County sheriff and jail employees will defer the 2% pay increase from July 1 to August 1, and be granted the compression pay as outlined by the General Assembly. The total for this change is \$120,070 with \$79,540 provided by the Compensation Board and \$20,265 split between the County and City. The FY18 budget needs to be adjusted accordingly.

Supplemental Appropriation: \$120,070

\$35,793	GL Code: 1001-00000-12302-000-323200-000	State Revenue: Sheriff Compensation Board
\$43,747	GL Code: 1001-00000-12302-000-323200-000	State Revenue: Jail Compensation Board
\$20,265	GL Code: 1001-00000-15201-000-352000-000	General Fund: Fund Reserve
\$20,265	GL Code: 1001-00000-11899-000-318600-000	General Fund: Harrisonburg Share of Services
\$45,585	GL Code: 1001-03102-00000-000-501100-000	Sheriff: Salaries
\$3,486	GL Code: 1001-03102-00000-000-502100-000	Sheriff: FICA
\$4,960	GL Code: 1001-03102-00000-000-502201-000	Sheriff: VRS
\$55,715	GL Code: 1001-03302-00000-000-501100-000	Jail: Salaries
\$4,262	GL Code: 1001-03302-00000-000-502100-000	Jail: FICA
\$6,062	GL Code: 1001-03302-00000-000-502201-000	Jail: VRS

On behalf of the Finance Committee, Supervisor Breeden made a motion, seconded by Supervisor Kyger, to approve the supplemental appropriations.

Supervisor Cuevas suggested that the Virginia Association of Counties (VACo) inform the General Assembly or Governor’s office that the first three years of pay is the most critical for employees. Employees need help during that time or they will take other jobs. Supervisor Kyger agreed that County employees go to work in the towns during this timeframe.

Supervisor Cuevas asked Supervisor Kyger to inform the proper VACo committee that the greatest need to help deputies and jail officers is early in their employment.

Supervisor Breeden advised that Harrisonburg Rockingham Social Services District desperately needs foster parents. Social Services staff can provide a presentation about foster parenting to churches and civic organizations.

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 supplemental appropriations.

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COMMITTEE APPOINTMENTS.

On motion by Supervisor Cuevas, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; EBERLY – AYE; KYGER – AYE; the Board appointed Dr. John Kidd to represent District 1 on the Community Services Board for a term to expire June 30, 2020.

Mr. Miller reminded the Board that there is a vacancy on the Planning Commission. Supervisor Breeden hopes to recommend a candidate for the Planning Commission soon.

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CLOSED MEETING.

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 recessed the meeting from 8:09 p.m. to 8:34 p.m., for a closed meeting pursuant to 2.2-3711.A (1), Discussion of the assignment, promotion, demotion, performance, salary, discipline or resignation of a specific officer, appointee or employee.

MOTION: SUPERVISOR BREEDEN RESOLUTION NO: 17-09
SECOND: SUPERVISOR EBERLY MEETING DATE: JUNE 28, 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:

Chairman Chandler indicated there would be no action from the closed meeting.

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ADJOURNMENT.

Chairman Chandler declared the meeting adjourned at 8:34 p.m.

Chairman