

July 11, 2018

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, July 11, 2018, at 3:00 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
- 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
- CASEY B. ARMSTRONG, Assistant County Administrator
- PATRICIA D. DAVIDSON, Director of Finance
- KIRBY W. DEAN, Director of Parks & Recreation
- ANN MARIE FREEMAN, Director of Court Services
- JEREMY C. HOLLOWAY, Fire & Rescue Chief
- JENNIFER J. MONGOLD, Director of Human Resources
- TERRI M. PERRY, Director of Technology
- PHILIP S. RHODES, Director of Public Works
- RHONDA H. COOPER, Deputy Director of Community Development
- KELLY S. GETZ, Code Compliance Officer
- DIANA C. STULTZ, Zoning Administrator
- AMBER N. WHETZEL, Technology Administrative Assistant
- DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation
- C. BURGESS LINDSEY, Assistant Residency Administrator
Virginia Department of Transportation
- JOSHUA W. DUNLAP, Assistant Residency Administrator
Virginia Department of Transportation

ooooOoooo

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE.

Chairman Cuevas called the meeting to order at 3:04 p.m.

Supervisor Wolfe-Garrison provided the Invocation and County Attorney Miller led the Pledge of Allegiance.

ooooOoooo

APPROVAL OF MINUTES.

On motion by Supervisor Chandler, seconded by Supervisor Breeden, 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 27, 2018.

ooooOoooo

TRANSPORTATION DEPARTMENT.

Mr. Komara introduced VDOT Environmental Manager Bill Jones.

The Board heard Mr. Komara's report on the activities of the Transportation Department, including updates to bridge, road and rural rustic projects.

Mr. Komara announced that a citizen informational meeting will be held on July 26, 2018, from 4 to 6 p.m. at Turner Ashby High School, regarding the realignment of Oakwood Drive (Route 704) and Cecil Wampler Road (Route 704), and converting South Valley Pike (Route 11) into a four-lane, divided highway, with R-CUT crossovers.

Regarding the curve realignment project on Friedens Church Road (Route 682), Mr. Komara indicated a public hearing will be scheduled in November 2018. In response to a question from County Administrator King, Mr. Komara indicated the right-of-way at the intersection has not been obtained yet.

Mr. Komara noted that VDOT has been mowing along primary and secondary roads, and grading gravel roadways. Supervisor Kyger asked that VDOT mow the grass strip between Bridgewater and Dayton, since Virginia Private College Week is approaching and more traffic will be traveling through Bridgewater and Dayton.

Maintenance items include mowing, ditching, grading non-hard surface roads, and working on storm damaged roads.

Mr. Komara mentioned that the Railroad is reworking railroad crossings between Elkton and Dayton, and indicated there may be road closures during the repairs. He also reported that VDOT received the box culvert for Silver Lake Road (Route 701) in Dayton, but it may not be installed until next summer due to the upcoming school year and numerous events scheduled for the Town of Dayton.

Supervisor Chandler brought attention to speed concerns on Boyers Road (Route 704) near the Taylor Springs Subdivision. He also reminded Mr. Komara that the "Public Lake" sign on Cross Keys Road (Route 276) south of the Shenlake Drive intersection is completely faded and needs to be replaced.

Chairman Cuevas requested special attention be given to mowing along Brocks Gap Road (Route 259) due to the Bergton Fair, and asked that VDOT mow closer to a "Timberville" sign on Timber Way (Route 42) between Broadway and Timberville. He expressed appreciation to Mr. Komara and VDOT staff for taking care of citizens, especially during the recent flooding of County roads.

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

RESOLUTION

WHEREAS, the Board of Supervisors of Rockingham County desires to submit applications through the Virginia Department of Transportation (VDOT) SMART SCALE Program; and

WHEREAS, the County intends to submit an application to install northbound and southbound left turn lanes on VA 276 (Cross Keys Road) at the intersection with VA 253 (Port Republic Road), to improve intersection capacity, safety, and operations; and

WHEREAS, the County intends to submit an application to construct a sidewalk along the southbound side of U.S. 11 (North Valley Pike) from Mt. Clinton Pike to Jewell Street, to improve pedestrian safety and accessibility; and

WHEREAS, the County intends to submit an application to extend the U.S. 33 (Spotswood Trail) eastbound left turn lane at its intersection with Rt. 620 (Indian Trail Road), and to install a right turn lane on Rt. 620, to improve intersection capacity, safety, and operations.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of Rockingham County hereby supports these SMART SCALE Program Round 3 applications.

ooooOoooo

PRESENTATION – ROUTE 33 TRAFFIC CONCERNS.

Jeff Lebowitz from the Wynnwood Home Owners Association provided a presentation regarding noise concerns in the Wynnwood Subdivision due to traffic on Spotswood Trail (Route 33) and Stone Spring Road (Route 280). He attributes the noise to the configuration of the two roads below the Wynnwood Subdivision, the number of changes in the speed limit, and stoplights from Massanetta Springs Road (Route 687) to Chestnut Ridge Drive in the City. He claimed that residents of Wynnwood suffer from 24-hour noise generated by the acceleration and engine breaking of vehicles. He pointed out that the noise increases when James Madison University is in session. Mr. Lebowitz requested that the County smooth out the speed from Massanetta Springs Road to the City limits, and become a leader on noise ordinances and noise management.

In response to a question from Supervisor Wolfe-Garrison, Mr. Komara noted that a speed study was conducted approximately two years ago, with no recommendation for speed reduction in that location.

Chairman Cuevas said this is an important issue and asked County Administrator King to meet with Mr. Komara to discuss the concern.

ooooOoooo

COUNTY ADMINISTRATOR’S STAFF REPORT.

Administrator King commended Chief Holloway, along with Fire and Rescue staff, Public Works staff, Community Development staff and VDOT for their dedication and work performance in resolving flooding issues across the County.

ooooOoooo

ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong’s Community Development staff report dated July 11, 2018.

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 removed from the table, SUP17-294, William M. Johnson, 4631 Wengers Mill Road, Linville, 22834 for an event venue on property located on the south side of Wengers Mill Road (Route 753) approximately 1/10 mile west of Harpine Highway (Route 42), Election District #2, zoned A-1. Tax Map #64-(3)-5.

Supervisor Wolfe-Garrison asked Zoning Administrator Stultz to provide a report for discussion.

Ms. Stultz read the following:

On January 10, 2018, the Board heard and tabled a request by William Johnson for an event center on his property at 4631 Wengers Mill Road.

The report presented to the Board that night by staff included nine conditions. Since that time, there have been several discussions and meetings with the applicants and some adjoining landowners.

As a result of those discussions and meetings, Supervisor Wolfe-Garrison and the Zoning Administrator met with Bill Johnson and Andrew Johnson. At that meeting the Johnsons offered several additional conditions that they were willing to have placed on the permit. Seven additional conditions were added for consideration.

In addition to the added conditions, Condition #8 of the original request was amended. The original Condition #8 stated “In accordance with supplemental standards, hours of operation shall be limited to 6 a.m. to 11 p.m. and may continue until 1:00 a.m. Saturday and Sunday mornings and holidays provided the event is held entirely indoors after 11 p.m. so that light and sound do not leave the premises.”

The Johnsons proffered to change that condition to say “All music and amplified portions of the event shall end at 10 p.m. with clean-up completed by 11 p.m.”

In addition they also offered to add the following proffered conditions:

- Events covered under this special use permit shall be limited to one event per week May through October, and shall be limited to no more than 150 people.
- Events covered under this special use permit shall be held around the lake and at the barn only. No events covered under this special use permit shall be held around the pool or near the home.
- Exterior lights shall be limited to the corners of the barn, directed down-ward and small, ground-level landscaping lights along the walkway near the barn.
- Speakers for events held at the lake shall be directed toward the center of the crowd seating.
- Speakers for events at the barn shall be directed toward the crowd gathering area.
- Included in this permit shall be a groomsmen building which shall not exceed 12’ x 24’ and which shall receive all inspections.

That would make a total of 15 conditions instead of nine with seven of those being new conditions proffered by the applicants, and an additional one being amended.

Ms. Stultz pointed out that staff added “events covered under this special use permit” to several of the conditions. Therefore, these conditions, if the permit is approved, would apply only to those events covered under this permit and not to any private event, such as Young Life, that the applicant may hold on their property.

In response to a question from Supervisor Breeden, Ms. Stultz noted the property is 82.097 acres, but Mr. Johnson is only using the area around the barn and the lake; no other locations on the property.

With the 15 conditions as presented, Supervisor Wolfe-Garrison motioned for approval of SUP17-294 for William M. Johnson. Supervisor Kyger seconded the motion.

Supervisor Breeden interjected and expressed his concerns related to noise and how it affects neighbors in close proximity to the venue.

County Attorney Miller brought attention to condition number 8, recommending a revision to “All music and amplified portions of *this event* shall end at 10 p.m. with clean-up completed by 11 p.m.” be revised to state, “All music and amplified portions of *events* shall end at 10 p.m. with clean-up completed by 11 p.m.”

Supervisor Wolfe Garrison confirmed that this revision will apply to those events in compliance with the special use permit; not the Johnsons' private events.

Carried by a roll call vote of 3 to 2, voting recorded as follows: BREEDEN – NAY; CHANDLER – NAY; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board, with the following conditions and amendment to condition number 8, approved, SUP17-294, William M. Johnson, 4631 Wengers Mill Road, Linville, 22834 for an event venue on property located on the south side of Wengers Mill Road (Route 753) approximately 1/10 mile west of Harpine Highway (Route 42), Election District #2, zoned A-1. Tax Map #64-(3)-5.

CONDITIONS:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Building shall comply with the Statewide Building Code and the proper permits shall be obtained.
3. As approved by the Health Department, this use may be serviced by a portable restroom trailer.
4. This permit is contingent upon a site plan being submitted to and approved by the County. No work shall be done on the property and no building permits shall be issued until such time as a site plan is approved.
5. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.
6. There shall be no off-premise signs permitted unless all County and State regulations are met.
7. Parking shall comply with the Rockingham County Code.
8. All music and amplified portions of events shall end at 10 p.m. with clean-up completed by 11 p.m.
9. The business shall not begin operation until a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.
10. Events covered under this special use permit shall be limited to 1 event per week May through October and shall be limited to no more than 150 people.
11. Events covered under this special use permit shall be held around the lake and at the barn only. No events covered under this special use permit shall be held around the pool or near the home.
12. Exterior lights shall be limited to the corners of the barn directed ground-ward and small, ground-level landscaping lights along the walkway near the barn.
13. Speakers for events held at the lake shall be directed toward the center of the crowd seating.
14. Speakers for all events at the barn shall be directed toward the crowd gathering area.
15. Included in this permit shall be a groomsmen building which shall not exceed 12' x 24' and which shall receive all inspections.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board removed from the table, SUP-18-121, C.A.S. Properties, LLC, 4615 Trissels Road, Broadway, 22815 for a small contractor's business (heating & air conditioning) on property located on the south side of Trissels Road (Route 809) approximately 500' west of Harpine Highway (Route 42), Election District #2, zoned A-1. Tax Map #65-(A)-9B

On June 13, 2018, the Board tabled SUP18-121 for C.A.S. Properties, LLC. Supervisor Wolfe-Garrison wanted to wait until the property was cleaned-up and equipment not associated with the HVAC business had been removed, before approving the special use permit.

Supervisor Wolfe-Garrison noted it was brought to her attention that Ms. Stultz and other staff visited the facility and the requested items for clean-up and removal have been done to their satisfaction.

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, with the following conditions, approved SUP18-121, C.A.S. Properties, LLC, 4615 Trissels Road, Broadway, 22815 for a small contractor's business (heating & air conditioning) on property located on the south side of Trissels Road (Route 809) approximately 500' west of Harpine Highway (Route 42), Election District #2, zoned A-1. Tax Map #65-(A)-9B

CONDITIONS:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Building shall comply with the Statewide Building Code and the proper permits shall be obtained.
3. The entrance shall be upgraded to have one commercial entrance. An entrance permit shall be obtained from VDOT and shall be installed prior to a certificate of occupancy being issued by the County.
4. In accordance with Health Department requirements there shall be no more than 5 employees on the existing drainfield.
5. Fire Prevention Code shall be met.
6. All supplemental standards for small contractor's business shall be met.
7. All on-site work shall be done inside the building.
8. There shall be no junk, trash, or debris allowed to accumulate on the property
9. This permit is contingent upon a site plan being submitted to and approved by the County. No work shall be done on the property and the business shall not begin operation until such time as the site plan is approved.
10. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.
11. There shall be no off-premise signs permitted unless all County and State regulations are met.
12. Parking shall comply with the Rockingham County Code.
13. The business shall not begin operation until a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

ooooOoooo

FINANCE DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Davidson's staff report dated July 5, 2018.

Mrs. Davidson highlighted recommended changes to the Travel and Expenses Policy adopted in November of 2017:

1. Clarify that the pre-authorization form is only required for out of state travel
2. Travel advances refer to per diem advances not to prepayment of air and hotel expenses
3. Meal per diems, clarify definition of "free meals"
4. Mileage: Include a section in the policy that says mileage is a reimbursable expense and that documentation must be provided to prove the number of miles driven.

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; KYGER – AYE; WOLFE-GARRISON – AYE; the Board adopted the following revised Travel and Expenses Policy:

Travel and Expenses

Overview:

It is the policy of Rockingham County to reimburse staff for reasonable and necessary expenses incurred in connection with approved travel. Travelers seeking reimbursement should incur the lowest reasonable travel expenses. All county-related travel paid with Rockingham County funds must comply with the Rockingham County procurement ordinance.

Approval:

Staff travel must be pre-authorized by the Department Head and funds must be available in the adopted budget. The pre-authorization must be documented on a Travel Authorization Form only if the travel is outside of the state. An individual may not approve his or her own travel or reimbursement. The Travel Authorization form, if necessary, must be signed by the Department Head or County Administrator.

Vacation in conjunction with County-related travel:

In cases in which vacation time is added to County-related travel, any cost variance in airfare, car rental or lodging must be clearly identified on the Travel Reimbursement form. Rockingham County will not prepay any personal expenses with the intention of being "repaid" at a later time, nor will any personal expenses be reimbursed.

Travel Expenses/Procedures:**Prepaid travel expenses:**

County vehicles should be used for work related travel whenever possible. There may be occasions when an employee may need to use a personal vehicle for County business. The County reimburses the employee mileage at the rate established by the Commonwealth of Virginia.

Employees are expected to commute to a meeting that exceeds one day if the meeting location is less than sixty (60) miles from the City of Harrisonburg. However, if evening meeting sessions are part of the conference, meeting or training, and such are held out of the County, lodging may be provided by the County.

Before the travel, Rockingham County may issue prepayments for airfare, rail transportation, rental vehicles, conference registration fees and cash advances. Applicable policies and methods of payments for these prepayments follow.

Airfare. Travelers are expected to obtain the lowest available airfare that reasonably meets business travel needs. Travelers are encouraged to book flights at least 30 days in advance to avoid premium airfare pricing. First-class tickets are not reimbursable.

Coach class or economy tickets must be purchased for domestic or international flights (defined as flight time totaling less than five consecutive hours excluding layovers). A higher-priced coach ticket cannot be purchased for a subsequent upgrade in seating.

Airfare may be purchased with a County-issued credit card.

Rail transportation. Rockingham County will prepay rail transportation provided that the cost does not exceed the cost of the least expensive airfare.

Rental vehicles. Rockingham County will pre-pay for approved use of a rental vehicle.

Conference registration fees. Conference registration fees can be prepaid with a County-issued credit card. Business-related banquets or meals that are considered part of the conference can be paid with the registration fees; however, such meals must be deducted from the traveler's per diem allowance. See Meals (per diem) for more detail.

Travel advances. Cash advances of per diems are authorized for specific situations that might cause undue financial hardship for travelers. These situations are limited and must be pre-approved by the Department Head and Director of Finance.

Expenses associated with the travel must be reconciled and substantiated within two weeks of the return date. The traveler must repay Rockingham County for any advances in excess of the approved reimbursable expenses. The department initiating the travel is responsible for notifying the Finance Department to deposit any excess funds into the appropriate departmental account.

Travel advances are processed by submitting a completed Travel Reimbursement form to the Finance Department.

Reimbursements:

Requests for reimbursements of travel-related expenses are submitted on a Travel Reimbursement form. This form must be accompanied by a Travel Authorization Form and supporting documentation. If the requested reimbursement exceeds 20 percent above the total pre-trip estimate, the Travel Reimbursement form must be signed by the County Administrator.

These forms must be submitted to the Finance Department within two weeks after the trip is completed. Travel Reimbursement forms not submitted within this time frame require approval from the County Administrator. All reimbursement requests will go to the County Payroll Specialist by the timesheet due date and will be added to the pay in the next scheduled direct deposit. If received after the timesheet deadline, the request will be included in the following payroll direct deposit.

Reimbursement of travel expenses is based on documentation of reasonable and actual expenses supported by the original, itemized receipts where required. Under no circumstances is reimbursement made for alcoholic beverages. Reimbursements (in addition to Airfare, Rail, Rental Vehicles and Conferences) that may be paid by Rockingham County are shown below.

Lodging (commercial). The cost of overnight lodging (room rate and tax only) will be reimbursed to the traveler if the authorized travel is 60 miles or more from the traveler's home or primary worksite. Exceptions to this restriction may be approved in writing by the County Administrator.

Rockingham County will reimburse lodging expenses at reasonable, single occupancy or standard business room rates. When the hotel or motel is the conference or convention site, reimbursement will be limited to the conference rate.

Meals (per diem). Per diem allowances are reimbursable for overnight travel that is 60 miles or more from the traveler’s home or primary worksite.

Rockingham County per diem rates are:

Breakfast	\$10.00
Lunch	\$15.00
Dinner	\$25.00

Per diem reimbursements are based on departure and return times over the entire 24-hour day and are prorated accordingly.

If a free meal is included in a conference registration fee, the per diem allowance for that meal may not be claimed. When an employee completes a travel reimbursement form, a conference/class agenda must be attached to designate which meals are provided.

Receipts are not required for per diem allowances. Per diem allowances are reimbursed after the trip is completed.

Mileage. Mileage will be reimbursed at the IRS Mileage reimbursement rate as posted on the IRS website. Please provide a printout of the map that shows the starting and ending location in order to document the number of miles shown on the reimbursement form. The exception to the documentation is for Board travel around town to conduct County business.

Parking. Original receipts are required for parking fees (including airport parking) totaling \$25 or more. The lodging bill can be used as a receipt when charges are included as part of the overnight stay.

Tolls. Original receipts are required for tolls totaling \$25 or more.

Miscellaneous transportation. Original receipts are required for taxi, bus, subway, metro, ferry and other modes of transportation.

Mrs. Davidson noted one response was received to the Invitation to Bid (ITB) for stone at the landfill. She explained that after one response was received to the ITB, Staff realized the response can be used as a quote because the County has not met the criteria above the \$30,000 requiring an ITB. She asked the Board to cancel the ITB, in order for the County to solicit additional quotes for the stone to ensure the County obtains the best price.

On motion by Supervisor Breeden, 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 canceled the Invitation to Bid for stone at the landfill.

Mrs. Davidson indicated a list of items that are no longer used, along with a list of items that need to be discarded, was provided to the Board.

On motion by Supervisor Chandler, seconded by Supervisor Wolfe-Garrison, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board declared the following items surplus to be disposed of through the public surplus auction website or to be discarded:

Items to Declare Surplus – July 2018

Description	Quantity
TomTom (GPS)	2
Magellan (GPS)	2
Table	1
Filing Cabinet	1
White Board	1
Basketball Hoop	1
Salvajor II	1
Brochure Rack	1
Filing Cabinet	1
Desk Organizers	2
Small Brown Desk	1
Desk	1

Items to Discard – July 2018

- Miscellaneous Office Equipment
- Table
- Desk
- Three (3) Sets of Office Chairs
- Desk
- Desk
- Table

ooooOoooo

HUMAN RESOURCES DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Mongold’s staff report dated July 11, 2018.

Mrs. Mongold requested a clarification to a discrepancy in the Employee Handbook regarding the Annual Leave Policy:

Change the wording “Employees of Constitutional Officers are not eligible for payment of accumulated leave time at termination/retirement” to “Employees of Constitutional Officers in positions funded by the State Compensation Board are not eligible for payment of accumulated leave time at termination/retirement.”

Chairman Cuevas noted that the change clarifies the policy. He asked Mrs. Mongold to remind the Constitutional Officers how this part of the system operates.

On motion by Supervisor Chandler, seconded by Supervisor Breeden, 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 revision to the Annual Leave Policy included in the Employee Handbook:

When employment ends, the terminating employee will be paid for all unused annual leave up to the maximum yearly amount allowed for his or her years of service. Employees of Constitutional Officers in positions funded by the State Compensation Board are not eligible for payment of accumulated leave time at termination/retirement.

ooooOoooo

PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Rhodes' staff report dated July 11, 2018.

Chairman Cuevas stated there are a couple important items to bring to the Public Works Committee and Board in the near future.

Supervisor Breeden asked if a recent water line break occurred when the County contractor was running the water line. Mr. Rhodes stated the County was repairing a minor leak and caused a major leak on Grant Road near Manor Wood. The County did not have a drawing indicating the location of the line on the private lane.

County Administrator King also stated there was a water line break on Oakwood Drive (Route 704) at White Birch Estates.

ooooOoooo

TECHNOLOGY DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Perry's staff report dated July 2018.

ooooOoooo

FIRE AND RESCUE CHIEF'S STAFF REPORT.

The Board received and reviewed Chief Holloway's staff report dated July 2018.

Chairman Cuevas asked about the progress on the Hose Company No. 4 fire and rescue station on Port Republic Road. Chief Holloway indicated he will meet with the President and Board of Hose Company No. 4 on July 13, 2018, to finalize the agreement.

ooooOoooo

PARKS & RECREATION DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Dean's staff report dated July 5, 2018.

Mr. Dean requested approval of a Request for Proposal to provide photography services for all Parks and Recreation activities. The bid closed June 1, 2018, with three responses. Staff recommends awarding a one-year contract to Gitchell's Photography.

In response to question from Chairman Cuevas, Mr. Dean indicated the photos of the children are purchased by their parents, with no financial impact to the County. Gitchell's will give 10 percent of the margin to the County.

Supervisor Kyger made a motion, seconded by Supervisor Chandler, to award a one-year contract for photography services for all Parks and Recreation Activities to Gitchell's Photography.

Supervisor Wolfe-Garrison asked Mr. Dean if the County will have rights to the photos for publicity purposes, with the parents' permission. Mr. Dean indicated Gitchell's will provide a waiver for parents to sign, and the County will be permitted access to those photographs.

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 awarded a one-year contract for photography services for all Parks and Recreation Activities to Gitchell's Photography.

Mr. Dean announced he is in the process of applying for a Virginia Department of Conservation and Recreation (VDCR) trail grant to help finance a walking trail in the Rockingham Park at the Crossroads. The grant is for \$300,000, and the VDCR will provide as many as three grants. Therefore, County could be awarded a \$100,000 or \$300,000 grant. Several staff members have been helping to prepare the grant application, which Mr. Dean hopes to submit the week of July 16, 2018.

oooooOoooo

COURT SERVICES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Freeman's staff report dated July 11, 2018.

Mrs. Freeman announced that a notice was received from the Supreme Court of Virginia on July 6, 2018, for a \$25,000 grant with a 25 percent match; the application is due July 23, 2018.

On motion by Supervisor Chandler, seconded by Supervisor Breeden, 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 submitting the Supreme Court of Virginia grant application with the understanding that, if received, the County and City will jointly provide a 25 percent match for the \$25,000 grant.

oooooOoooo

COMMITTEE REPORTS.

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

BUILDINGS AND GROUNDS

Supervisor Chandler reported a Building and Grounds Committee Meeting is scheduled on July 24, 2018.

CHAMBER OF COMMERCE

Supervisor Wolfe-Garrison indicated there are numerous Chamber events this summer and invited the Board to enjoy the activities.

HARRISONBURG-ROCKINGHAM METROPOLITAN PLANNING ORGANIZATION (MPO)

Supervisor Wolfe-Garrison reminded the Board 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.

SHENANDOAH VALLEY PARTNERSHIP (SVP)

Assistant County Administrator Armstrong announced that the SVP annual meeting is July 12, 2018, at Hotel Madison. There will be a tour of the Virginia Poultry Growers Cooperative. Mr. Armstrong and County Administrator King will attend and meet with Stephen Moret, President and CEO of the Virginia Economic Development Partnership.

VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Supervisor Kyger said he and Administrator King will attend the Annual National Association of Counties Conference in Tennessee from July 13 to July 16, 2018.

CHAIRMAN

Chairman Cuevas asked the Board and staff to be patient with his activities over the next three to four weeks.

ooooOoooo

CLOSED MEETING.

On motion by Supervisor Kyger, seconded by Supervisor Chandler, 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 recessed the meeting from 4:05 p.m. to 5:04 p.m., for a closed meeting pursuant to 2.2-3711. A (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; and (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: 18-14
SECOND: SUPERVISOR KYGER MEETING DATE: JULY 11, 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, CUEVAS, KYGER, WOLFE-GARRISON
NAYS: NONE
ABSENT:

ooooOoooo

RECESS.

At 5:04 p.m., Chairman Cuevas recessed the meeting for dinner.

ooooOoooo

PUBLIC HEARING – ORDINANCE AMENDMENT.

At 6:00 p.m., Chairman Cuevas opened the public hearing and Ms. Stultz reviewed the following 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. We are finding often times with current building code older buildings can’t be brought to code.

Ms. Stultz noted that the ordinance amendment does not pertain to any particular property. Since several citizens expressed interest in mini-storage facilities, the request is being presented to the Board as an ordinance amendment so action can be taken for the entire County.

Kim Sandum noted she served on the committee that worked on the zoning ordinance revisions. The Committee discussed protecting the agricultural character of the entire County, and thought this was a compromise to put buildings back in use without an undue incentive to open up agricultural land for more business or industrial type use. She asked that the Board not strike item E from the requirements and find another solution.

Chairman Cuevas closed the public hearing at 6:06 p.m.

On motion by Supervisor Kyger, seconded by Supervisor Breedon, and carried by a roll call vote of 3 to 2, voting recorded as follows: BREEDON – AYE; CHANDLER – NAY; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – NAY; 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 Some Land Uses.

Mini-storage facility.

- (a) All storage shall be located entirely within the structure except an outside screened area may be included for storage of unoccupied, operational, recreational vehicles.
- (b) No hazardous, toxic, or explosive materials shall be stored on the premises. Signs shall be posted within the facility describing such limitations.
- (c) Hours of operation shall be limited to 6 a.m. to 9:00 p.m.
- (d) No businesses shall be operated inside any unit of the mini-storage facility.
- (e) ~~In addition to A–D above, in the A-1 and A-2 zoning districts, storage shall only occur within an agricultural structure at least three (3) years old.~~

This ordinance shall be effective from the 11th day of July, 2018.

ooooOoooo

PUBLIC HEARING – SPECIAL USE PERMITS.

At 6:10 p.m., Chairman Cuevas opened the public hearing and Ms. Stultz reviewed the following special use permit requests:

SUP18-141 Joseph Zimmerman, 5119 Daniel Cupp Road, Dayton 22821 for an additional residence on property located on the southwest side of Daniel

Cupp Road (Route 731) and Waggys Creek Road (Route 742) in Election District #4, zoned A1 (Prime Agricultural), and is in the AF9(Ottobine Agricultural and Forestal District). Tax Map #104-(A)-145A.

Lynn Brubaker noted he owns four parcels that join the Zimmermans' property. He stated that he has known the Zimmerman family for several years and has no objection to the special use permit.

James Butler questioned if another home was built to replace the modular home, whether that home would require a special use permit with 15 acres divided off to go with the home. Supervisor Kyger and Ms. Stultz responded that it would not require more acreage as long as the modular home is being replaced. Ms. Stultz further explained that the Zimmermans planned for two acres to be used for the house, but the two acres will not be divided from the 45-acre property.

No one spoke in opposition to the request.

Chairman Cuevas closed the public hearing at 6:12 p.m.

Supervisor Kyger noted that because the request is for a family member and farm hand, it meets the County's general standards in agricultural areas to assist those who manage farms, and it is in compliance with the agricultural forestal district rules and regulations.

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, with the following conditions, approved SUP18-141, Joseph Zimmerman, 5119 Daniel Cupp Road, Dayton 22821 for an additional residence on property located on the southwest side of Daniel Cupp Road (Route 731) and Waggys Creek Road (Route 742) in Election District #4, zoned A1 (Prime Agricultural), and is in the AF9(Ottobine Agricultural and Forestal District). Tax Map #104-(A)-145A.

CONDITIONS:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Residence shall comply with the Statewide Building Code and the proper permits shall be obtained.
3. This permit is contingent upon the applicant obtaining a sewage disposal system and water supply from the Health Department. A copy of said permits shall be submitted to the Community Development Department prior to issuance of a building permit. Well and septic shall be installed and approved by the Health Department prior to issuance of a certificate of occupancy.
4. Entrance permit shall be obtained from VDOT and submitted to the Community Development Department prior to issuance of building permits and entrance shall be installed and approved by VDOT prior to issuance of a certificate of occupancy.
5. The manufactured home shall be skirted within 30 days following final inspection. Additionally if the tongue is left on the manufactured home, it shall be included in the skirting.
6. Residence shall not be occupied until such time as a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

At 6:14 p.m., Chairman Cuevas re-opened the public hearing and Ms. Stultz reviewed the following special use permit request:

SUP18-072 Rockingham Residential Revocable Trust, 800 N. Main Street, Mt. Crawford 22841 for a country store - arts, snacks, drinks, convenience items (like use to convenience store), antique shop, barbecue pit, and farmers market on property located on the northwest side of Port Republic Road (Route 253) and Trimble Road (Route 757), Election District #3, zoned A-2 (General Agricultural). Tax Map #140-(A)-50A. Property address: 7061 Trimble Road.

Ms. Stultz reported this is a request for a country store. The County zoning ordinance does not list country store so it is considered (for zoning purposes) as a like use to a convenience store (and like uses are permitted by special use permit in the A-2 zoning district). Farm markets are allowed by special use permit in the A-2 zoning district. There was also a barbecue pit added to the proposed project. Even though barbecue pits are permitted by right, Mrs. Curt has proffered in condition number 18 that the barbecue is only for use by charitable organizations, at no charge. It is not her intent to use it to barbecue items to sell or to make money for her business. It is for the use of the community.

The applicant has proffered to be stricter than the County's requirements. As proffered in condition number 11, the farm market pavilion shall be open on Saturdays only and shall be limited to locally grown and locally made goods.

Ms. Stultz noted this request was scheduled to be heard on June 13, 2018. However, due to concerns from citizens, the applicant requested that it be postponed so she could hold a community meeting to address questions and concerns. On June 20, the applicant held a community meeting with only seven people in attendance (not including County personnel and people with the applicant).

Following the community meeting, the applicant met with Supervisor Chandler and Zoning Administrator Stultz, at which time she offered many proffers in response to concerns brought up at the community meeting. Those proffers have been made conditions of the permit, if approved.

Staff received emails and phone calls in opposition, as well as some in support of the request. Ms. Stultz indicated she understands there is a petition, but the County has not received a copy of it.

This property is in close proximity to the Core Area of the Port Republic/Cross Keys Civil War Battlefield.

Martha Curt, owner of the proposed property, provided renderings of how she plans for the store to look. Mrs. Curt stated she plans to run a country store with local arts and crafts, local baked goods, coffee shop, sandwich shop and basic convenience items. She will also have a farmers market and barbecue pit.

Richard Hines, a member of the Virginia Division of the Sons of the Confederate Veterans, stated he supports the proposal. He moved to Northern Virginia in 1981 as part of the Reagan administration and prior to that he was part of the House of Representatives in South Carolina. He has been active in preserving at least three battlefields, and provided information regarding the preservation of those battlefields. Mr. Hines thinks this is a good use for the 100-year old building, and the store will enhance tourism as Civil War books will be sold. Mr. Hines believes the country store will be a great benefit and will not distract from the historical nature of the Port Republic Battlefield or Rockingham County.

Patrick McSweeney from Powhatan, Virginia said Mrs. Curt contacted him because he has a 50-year history of practicing in the area of zoning and historical preservation. He has participated in the preservation of battlefields. He said questions always come up about trying to maintain the area of the battlefield and surrounding area in a way that is compatible with the use and appearance at the time. Mr. McSweeney was informed that there were general stores along Port Republic Road. He stated the proposed country store is compatible with the battlefield.

Ron Maxwell from Rappahannock County said he has directed Civil War motion pictures, and cares about historical preservation and history. He has known the Curt family for 15 years and said they are dedicated to preserving history and heritage. He supports the special use permit as the country store will be designed in good taste. He went on to say he would be opposed to erecting a new building on the Port Republic Battlefield, but Mrs. Curt is preserving an old structure that maintains the rural character. He believes the store will enhance the battlefield.

Irvin Hess said he owns a book by David Ludd with maps of the core study area. The proposed property is in the study as an anchoring point on the right of the Confederate battle line. The ambush that turned the Battle of Cross Keys occurred on the back of his property. In 2000 Dr. Hess and his wife bought the adjoining 50-acre Widow Pence Farm to protect it because it is part of the Cross Keys Battlefield. He said the Cross Keys and Port Republic Battles were the last two battles in Jackson campaign, and this battlefield has maintained its integrity. He wants to protect the pristine historical view shed looking toward the Blue Ridge Mountains, with very few intrusions. He strongly urges preserving the land. Dr. Hess said he is not in disagreement with Mrs. Curt if she uses the trees to protect the view, and eliminates elevated light poles and signs which will destroy the view. He does not want to see concerts and events with lights and food trucks on the property. Dr. Hess also expressed concern about excessive water run-off from the parking lot, which will flow to his property.

Kim Sandum thanked the applicant for holding the community meeting and staff for answering questions. Two issues brought up at the meeting were lighting and signs. She thought there would be an additional proffer regarding lighted message signs. If it is not on the list, she asked that it be added to protect the property.

Dolly Frazier addressed concerns regarding traffic and the speed on Port Republic Road, with frequent accidents. She stated she has no problem with a store with antiques where people can learn and purchase books about the Civil War, but does not think this is a good location. She believes the store should be on Spotswood Trail (Route 33) or Cross Keys Road (Route 276). Ms. Frazier is concerned about increased traffic and how the quality of life will be affected. She also expressed concern about water run-off.

Mike Schelbe, from New Market, started an online petition. He commended Mrs. Curt for what she is trying to accomplish and being open for discussion, but expressed concerns regarding the core versus study area, lighting and paving. He hopes the Board will delay a decision and study the amended plans. He provides tours and historical presentations, and said this is a preservation concern for him and battlefield re-enactors.

Tim Ruebke asked a question about the existing permit, which he understood was for an antique store on a part-time basis, not seven days a week. Ms. Stultz said the existing permit was issued as an antique store and furniture store, but was not restricted to part-time.

Julie Grandstaff Myers, a member of the community for 30 years, lives on Port Republic Road. She loves living in that area, but expressed concern regarding the entrance on Port Republic Road as she has issues exiting her driveway. She has no problem with an antique shop, but is concerned about the traffic and safety issues a country store will create. Ms. Myers has no objection to the store being located elsewhere.

Eric Myers echoed concerns of others that the store and traffic do not fit in with the plan for that land being agricultural and residential. He noted there will be many delivery trucks. He would be in favor of a building that looks like the proposed one and sells antiques and farmers market items, but is not in favor of a convenience store.

Lee Forester agreed with what was already stated in opposition and questioned whether the special use permit is still valid. He said the previous owner had not sold antiques for some so the business had not been in continuous operation for two years.

Tim Ruebke spoke again to indicate he is in opposition to a convenience store as presented, but is not in opposition to restoring historic buildings. He thinks other designs may be more useful in that particular setting.

Nancy Hight stated her property is next door and she is not necessarily in opposition, but is concerned about the impact on her well.

Chairman Cuevas asked for a show of hands of all in favor of the request. He also asked for a show of hands of those in opposition, and those with concerns.

Martha Curt said Dolly Frazier mentioned having groups come in. She will not have music or any events except the Farmers Market on Saturdays in the summer. It is simply a store.

Supervisor Wolfe-Garrison questioned Mrs. Curt about outside lighting. Mrs. Curt stated the lights will be turned off at 8:00 pm, with the exception of low-level security lighting so people do not trip.

Chairman Cuevas closed the public hearing to go back into regular session at 6:55 p.m.

Supervisor Chandler thanked Mrs. Curt for holding the community meeting. He also thanked the people who attended the meeting, and everyone for their civility in this process. He received numerous calls and emails regarding this special use permit, and said several people who live in close proximity to the property did not know about the special use permit until recently. He would like to allow those individuals time to provide input. Supervisor Chandler said the biggest concern is the convenience store aspect of the special use permit.

Supervisor Chandler made a motion to table SUP18-072, Rockingham Residential Revocable Trust, 800 N. Main Street, Mt. Crawford 22841 for a country store - arts, snacks, drinks, convenience items (like use to convenience store), antique shop, barbecue pit, and farmers market on property located on the northwest side of Port Republic Road (Route 253) and Trimble Road (Route 757), Election District #3, zoned A-2 (General Agricultural). Tax Map #140-(A)-50A. Property address: 7061 Trimble Road.

Supervisor Kyger stated he has a family name that is associated greatly to that part of Rockingham County that dates back to the 1700s, and had family members on both sides in the tragic War Between the States. He became very actively involved in the Shenandoah Valley Battlefield Heritage Act that constructed a new type federal park that became a model for the battle fought for the rights of people's property and what to do with it. He said this battle is being settled in a civil government process. He noted friends and neighbors sitting side by side are raising their hands – some in support and some in opposition. Supervisor Kyger believes there may be an opportunity to find some reasonable and workable compromise that can accomplish Mrs. Curt's desire for her property, but also address the many legitimate concerns that were raised. He said this debate is similar to when the County started talking about the Shenandoah Valley Battlefield Heritage Act, and he thinks the lessons learned from the positive aspect of that discussion as a community can be brought to this discussion as a community.

Supervisor Kyger seconded the motion to table SUP18-072.

Supervisor Wolfe-Garrison said she concurred with the comments of Supervisors Chandler and Kyger.

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 tabled SUP18-072, Rockingham Residential Revocable Trust, 800 N. Main Street, Mt. Crawford 22841 for a country store - arts, snacks, drinks, convenience items (like use to convenience store), antique shop, barbecue pit, and farmers market on property located on the northwest side of Port Republic Road (Route 253) and Trimble Road (Route 757), Election District #3, zoned A-2 (General Agricultural). Tax Map #140-(A)-50A. Property address: 7061 Trimble Road.

ooooOoooo

RECESS.

At 7:03 p.m., Chairman Cuevas recessed the meeting for a short break.

ooooOoooo

RESUME MEETING.

At 7:06 p.m., Chairman Cuevas resumed the meeting to re-open the public hearing, and Ms. Stultz reviewed the following special use permit:

SUP18-130 Lisa Shakespeare Whedbee, 2177 Pineville Road, McGaheysville 22840 for a 40' x 100' event center and use of residence for bridal party to dress on property located on the east side of Pineville Road (Route 672) approximately 300' south of Lawyer Road (Route 655), Election District #5, zoned A-1 (Prime Agricultural). Tax Map #141-(A)-45 & #141-(A)-45C. Property address: 2223 and 2177 Pineville Road

Parcel 45 shall be used for the event center, which will be a pavilion. The residence on parcel 45C shall be used for the bridal party to get dressed.

Staff has received three emails of opposition, and a petition with 36 signatures and two letters attached to the petition. Ms. Stultz noted those were forwarded to the Board members.

Supervisor Breeden stated he received an email in favor of the special use permit.

Lisa Whedbee stated she and her family understand many of the concerns from their neighbors. They have lived there 18 years and take great pride in their property and consideration for their community and surrounding neighbors. They want to see the area economy continue to grow and thrive without compromising the integrity of the land. They also do not want to do anything to devalue their home or the surrounding neighbors' homes. Ms. Whedbee said her family focused on a business where they can share the beauty of the Valley, rather than selling their acreage that provides privacy and serenity to most bordering neighbors.

Ms. Whedbee said, since the property is zoned agricultural, they thought selling the property, with the possibility of agricultural machinery, poultry houses and smells that go with farming would be more invasive and adversely affect the homes in the area. Her family would like to pursue the venue that is geared toward family gatherings, not open to public events. This would be for private gatherings and weddings. A large portion of their property is currently for sale and they have respect and consideration for their neighbors. They recently turned down an offer for a poultry house and farming business, as they thought that would be more disrupting to neighbors with the noise, smells and traffic. They believe the family venue is a more appealing option, but realize the noise is a concern. They propose time restrictions, seasonal restrictions, and would consider implementing other restrictions concerning the music choices such as using DJs and acoustics rather than large bands.

Ms. Whedbee indicated she understands that there are no noise ordinances for agriculture use in agriculturally-zoned areas. She said with the venue, her family can control that. She asked that a compromise be considered that would work for everyone. She expressed appreciation to those who spoke with her family openly and honestly.

Frank Hilton stated he owns adjoining property to the parcel in the proposed special use permit. He expressed concern for additional traffic. He does not believe the proposed use is consistent with the Comprehensive Plan and intent of an agricultural reserve, and noted the area is not included in the McGaheysville Area Plan. He also does not believe the proposed venue is in the public's interest, as there are several event centers in close proximity. Mr. Hilton closed by stating he and his wife stand in opposition, and requested that the Board deny the request.

Carol Parker agreed with Mr. Hilton's comments, and expressed concern if the special-use permit is approved, as the neighbors would like to preserve the community and A-1 integrity. Ms. Parker is concerned about the increased traffic and the impact on the neighbor's quality of life. She showed the Board a video of a dangerous intersection on Pineville Road and noted the

danger to motorists who are not familiar with the road. She also expressed concern for water quality issues. Ms. Parker asked the Board to deny the request due to the negative impact to neighbors and other County residents.

Linda Thomas expressed concerns with an event center in their neighborhood, as well as the traffic, devaluation of real estate, water supply, light pollution and noise. She said the venue is incompatible with the A-1 and A-2 districts and will negatively impact their quality of life and enjoyment of their property. She does not believe the conditions will be acceptable in a quiet neighborhood. She and her husband urged the Board to deny the special use permit, she said.

Michael Kopp stated concerns about light, noise and traffic from the event center, which will be in the middle of homes and farms. He noted they have experienced sporadic parties late into the night with lights, noise and traffic. Mr. Kopp stated the applicant is trying to make that a permanent fixture in the middle of farms and homes. He said this is an intrusive commercialization of their property and that there is no way to compromise and allow the event center without negatively impacting neighbors in an agricultural area.

Chairman Cuevas stated there were similar comments in opposition to the request and asked for a show of hands from everyone in opposition.

Chairman offered an opportunity for others to speak if they wished.

Chairman Cuevas closed the public hearing at 7:37 p.m.

Supervisor Breeden indicated he and Supervisor Chandler visited with several neighbors surrounding the Whedbee property. While he knows the Whedbees would operate a first class business, he voted against an event center earlier in the evening, with much more acreage than the Whedbee property. Due to the small acreage, the event venue will be too much of an impact on the neighbors, Supervisor Breeden stated.

On motion by Supervisor Breeden, 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 denied SUP18-130, Lisa Shakespeare Whedbee, 2177 Pineville Road, McGaheysville 22840 for a 40' x 100' event center and use of residence for bridal party to dress on property located on the east side of Pineville Road (Route 672) approximately 300' south of Lawyer Road (Route 655), Election District #5, zoned A-1 (Prime Agricultural). Tax Map #141-(A)-45 & #141-(A)-45C. Property address: 2223 and 2177 Pineville Road

At 7:40 p.m., Chairman Cuevas resumed the meeting to re-open the public hearing, and Ms. Stultz reviewed the following special use permit:

SUP18-160 Frieden Farms, LLC, PO Box 183, Mt. Crawford, VA 22841 for addition to event venues to allow additional places on farm where events may be held on two properties located on the east side of Cross Keys Road (Route 276) across from Friedens Church Road (Route 682) and one property located on the southwest side of Friedens Church Road (Route 682) and Cross Keys Road (Route 276), Election District #3, zoned A-2 (Prime Agricultural). Tax Map # 139-(A)-55A, #139-(A)-168 and #139-(A)-45. Property addresses: 4771 and 4643 Cross Keys Road and 4624 Friedens Church Road.

The property is located within the Weyers Cave Volunteer Fire Department and Grottoes Rescue Squad respective first due areas. There is a dry hydrant installed within close proximity to the proposed locations.

Ms. Stultz noted that she reviewed the requirements for event centers under previous special use permits, so she would not repeat them.

Ms. Stultz noted this is a family operation with the people involved living on other parcels of land which the family farms together. On November 15, 2017, the applicants obtained a special use permit for a bed and breakfast, for several locations for outdoor events, and for an event center building. Those were all located on parcels of land on Friedens Church Road.

The applicants are now requesting to add additional land for outdoor events and for an addition to the event building. There will be two special use permits for event venues on the subject property as there are different tax parcels involved in some cases.

The applicants intend to put a farm market on tax parcel 139-(A)-168. It will be used to sell products grown on their property. Therefore, it does not require a special use permit.

This request is to allow an increase in area to be used for events on several properties owned by the Beam family.

Because of the spread out nature of this proposed use (along with the permitted farmers market), VDOT has increased concerns about roadway network impacts.

Both of the entrances on Cross Keys Road will have to be upgraded to commercial entrance standards.

VDOT recommends a comprehensive site plan be developed for the multiple venue sites before a determination is made on the road network.

As restrooms are being put in the event center building, septic approval will be required.

Approval of this request basically opens up over 250 acres to be used for mostly outdoor events with some events being held in the building previously approved on parcel 44.

Most of the properties do not tie down a specific location on each parcel for the event but could be held on any place on the property.

The Board should be aware that there are a number of small lots with residences on them on the west side of Cross Keys Road directly across from parcel 168, and a few small lots with residences directly to the south of parcel 168. The events held on parcel 168 will all be outdoor events.

It also came to staff's attention today that one of the locations on the east side of Cross Keys Road shows the new commercial entrance coming across a property that is not a part of this request. While the property is owned by a Beam family member, they are not a part of the application and that tax map parcel is not a part of the application. The person has not signed as a party on the application. Therefore, the entrance to events could not be accessed through that property.

The County received several calls in opposition and one letter in opposition earlier in the day. Ms. Stultz had provided copies of the letter to the Board members. Ms. Stultz noted there are many things reported at the beginning of the letter that are incorrect statements, but the writer is present and will address their letter.

Gerry Beam, one of the property owners, stated this is a working farm and this is his families answer to being able to work the farm into the future. They do not plan anything that will be an eyesore or disruption to the community, but feel they have something that is very marketable.

Suzanne Barrett stated she hears the noise and traffic, but it does not bother her or her husband. She complimented the way the Beams take care of their property, and knows the event center will look nice. Even though she will be able to see it, hear it and feel it she is not opposed to the request.

Camala Kite, one of the property owners, noted she has lived there for 20 years. They will not use the entire property included in the request, but will give options to those wanting to

use the event center. Ms. Kite stated her husband farms the property and they take care of their property. Any events will be held behind her house and since she has a young son, they will not allow loud music and parties into the late hours. Mrs. Kite noted they limit events to 10:00 p.m., with everything cleaned up by 11:00 pm. She said her family, since they live on the property, are prepared to make sure that is appropriately enforced. Anyone using the property for events would be under a contract to ensure the person using the venue would comply.

Drew Jones, who wrote the letter previously mentioned, stated she is the closest neighbor to the proposed special use permit location, but her property does not border the property. She noted some concerns in her letter were already addressed on similar properties in the area. She recently was made aware of changes made significantly close to her property. Ms. Jones noted that she was incorrect about some things that occurred in November 2017 and what had been granted at that time.

Ms. Jones noted that her daughter and some of her daughter's friends were married on their property. Her daughter wanted to turn their property into an event venue but she knew it was not zoned properly and she could not do that to her neighbors. She has concerns for changes to land use. She said the event center will significantly affect many aspects of country life along the historic byway. She explained that she has a right-of-way access to her home so it does not become landlocked, and she holds title to an egress corner of the land for a potential exit drive in case the current drive is impassable. She stated the number of entrances and exits on a highway such as Cross Keys Road are limited by VDOT, and noted there will be a significant increase in the amount of vehicular traffic entering and existing the intersection of Cross Keys Road and Friedens Church Road. If the request is approved, VDOT may not allow her access to Cross Keys Road should her current right-of-way be revoked, VDOT may not allow her to develop her emergency access, making her property illegally possessed due to inaccessibility. She said Friedens Farms is seeking tented outdoor event venues served by outside port-a-potty trailers and seating along the stream on the property. This area is subject to saturated spring flooding and flashfloods. She provided the Board pictures showing flooding on the property.

Ms. Jones said if the permit is granted, she will ask that activity scheduled for that area be relocated to enhance their property but does not degrade her property, way of life or peaceful harmony. She believes the current application allows for traffic to cross Cross Keys Road from Friedens Church Road into a parking lot. She noted this is a busy and dangerous intersection. Ms. Jones indicated that when the placement of a loop road was considered, the intersection of Cross Keys Road and Friedens Church Road was suggested as a spot for the loop road, the Beam family was actively involved with the Citizens Alliance for Preservation, arguing to preserve zoning ordinances and preservation of the land they now want to rezone. Through the efforts of the Beam family and other neighbors, the loop road was diverted. Ms. Jones said she stands to speak up for the preservation of her quality of life without a parking lot, outdoor public event venue with crowds and lights, tents, seating structure and amplified noise pollution. She feels strongly that the Beam family would argue against someone else requesting zoning changes that would affect their quality of life.

Ms. Jones requested that a broader notification area be provided regarding matters. Citizens whose lands are most affected and border property, are not necessarily those living closest to the property. She also noted that people living downstream from proposed sites may be greatly affected by run-off and water going into wells. The request includes a lenient noise ordinance allowing amplified sounds, which she will hear, until 11:00 p.m., with events lasting until 1:00 a.m. She noted the proposed property is adjacent to land protected by the National Battlefield Trust or National Historic Registry.

Her questions are: What is the nature of the events, how frequently will they occur, will there be a limit on the number of people, will alcoholic beverages be allowed, what specific agency covers inspections for safety and compliance, will individual wells and the aquifer be affected. What are the projected down-stream affects and what resources do landowners have when property values decline and their way of life changes?

Ms. Jones requested that the permit be denied or specific objective definable limitations be placed upon it.

Susan Mansfield indicated her property joins one of the farms in the special use permit request. When Cross Keys Vineyard was approved, she was told not to worry about traffic, but she said there is a lot of traffic and trash. She hears the music even though she is not that close to Cross Keys Vineyard. Ms. Mansfield also noted concerns with traffic traveling to White Oak Lavender Farm. She indicated the Beams are outstanding neighbors who keep their property well maintained, but she is disappointed that they desire to do this with their property. She would like to leave the beautify area as it is and believes the event center will be a detriment to the neighborhood. She noted there are no restrictions regarding having an event at all three places at one time, or what time the events will end.

Martine Clare LaPrevotte has lived on the Cross Keys Battlefield study land for 32 years and is in favor of farming becoming innovative and adaptive to sustain farmers. She said the Beam properties are pristine. However, she is not in favor of open air concerts with sound systems and alcoholic beverages, light pollution and traffic. She said water from large paved areas would greatly affect the neighbors, and indicated this request is invasive to their community in an agricultural district.

Kim Sandum stated this permit is open-ended and it is difficult for the neighbors to know what to anticipate, especially since it is such a large parcel or land. Many people will be affected and have no recourse. Ms. Sandum stated she does not think this is a good fit.

Arthur Hamilton, an adjoining property owner, stated it is a very complex application with numerous things being sought. He thinks it would be impossible for a reasonable person to vote in favor of such a broad request. Mr. Hamilton agreed that the Beams have been superb neighbors.

Chairman Cuevas asked anyone in favor of the request to raise their hand. He then asked those in opposition to raise their hand.

Chairman Cuevas closed the public hearing at 8:16 p.m.

Applicant Gerald Beam stated he does not envision their farm changing at all. Events will be held in the event building and weddings, which are usually in the afternoon, will be held in the pasture, by the creek, pond or in the woods. He confirmed that he spoke in opposition to the loop road to preserve farm land, and said there are only so many options to do with a farm. He said their current special use permit requires ending events by 10:00 p.m., with cleanup by 11:00 p.m. The entrances already exist, but will be improved to meet state requirements. He noted they built the pond with a dry hydrant that will service at least four of their neighbors. They put a lot of thought into this and this is the best option for their family farm, with minimal disruption to their neighbors.

A lady brought to the Board's attention that the Beams drew seating on their application. She wanted to clarify the Beams no longer want the seating.

Ms. Stultz stated that she did not believe she could clarify anything because what is on the drawings and what has been said during the public hearing leave a lot of questions as to what is intended. She said tents would be put up and taken down after events, but she does know what type seating the Beams desire.

Ms. Stultz stated some of the mailing notices went out incorrectly. Staff corrected the issue and a letter was sent out early in the week explaining the problem and asking that the public hearing be held tonight but be continued until the next Board meeting.

Mr. Miller clarified that staff wanted everyone that planned to attend, to be able to speak. He told those present that they are welcome to come back again, but continuing the public hearing, will give those who were not notified in time to attend an opportunity to speak. The public hearing will be continued until July 25, 2018 at 7:00 p.m.

Supervisor Chandler said he was made aware of the fact that some people were not notified and others received mailings addressed to someone else. He said the County needs to be transparent and fair by continuing the public hearing until July 25, 2018 at 7:00 p.m.

Chairman Cuevas asked Administrator King to include the continued public hearing on the July 25, 2018 agenda to provide proper consideration of additional public input.

oooooOooooo

RECESS.

At 8:24 p.m., Chairman Cuevas recessed the meeting for a short break.

oooooOooooo

PUBLIC HEARING – REZONING.

At 8:30 p.m., Chairman Cuevas opened the public hearing and Ms. Cooper reviewed the following rezoning request:

REZ18-057 Tan Bark Lane LLC, 4901 Crowe Drive, Mt. Crawford VA 22841, to rezone a total of 75.11 acres located on the west side of Pear Street (Route 922) approximately 0.15 mile southwest of Erickson Avenue (Route 726), from A2 (General Agricultural) to R5 (Planned Residential). The Comprehensive Plan identifies the area as Community Residential in the Urban Growth Boundary. Tax map #108-(A)-L188, 108-(A)-L189, 108-(A)-L164A and 108-(6)-L2. Election District 2.

Ms. Cooper stated four different parcels are in this request, and pointed out the City/County line and property in the request on the overhead. She indicated the applicant proffered to develop up to 400 dwellings, which would include a mix of 175 single family detached and duplex units, and 225 townhouse units. They have also proffered to restrict construction traffic to the Pear Street entrance; none will use Sky View. Additionally, they proffered to install a 30-foot landscape buffer along the shared boundary with Sky View prior to the issuance of certificate of occupancy for the 15th townhouse unit.

Public water and sewer are not currently available to this site. Public sewer is available along Route 42 in two locations, and both locations will require easements to be obtained in the crossing of the railroad; one connection will require crossing Route 42. The applicant is currently working on permission to cross the railroad.

County water is not available to the site so the applicant had to petition the City. The City approved a County water connection for 104,000 gallons per day for the 400 residential units. The County's allocation from the City is currently 500,000 gallons per day per the 2006 purchase agreement. The County's daily water consumption for FY2017 was 176,542 gallons per day.

The City reviewed and accepted the Traffic Impact Analysis and the mitigation of impacts of the proposed development by the applicant to provide financial assistance for the construction of a signal at Erickson Avenue and Pear Street, improve Pear Street based on the City's Design and Construction Standards, and seek a possible connection to Route 42 via the southern portion of the property to offset some of the left turn movements from Pears Street onto Erickson Avenue. Staff noted a signal agreement between the City and developer was signed March 30th and has been made part of the proffers.

This property is in the Turner Ashby School District Currently:

- Mountain View Elementary has 449 with a capacity of 584 students,
- Wilbur Pence Middle School has approximately 717 students with a capacity of 976, and
- Turner Ashby High School has approximately 997 students with a capacity of 1,262.

The proposed road layout looks adequate. Bus transportation would be routed so that bus stops were made at intersections and there would not be a need to turn buses around. Rockingham County Public Schools (RCPS) hopes this development will include considerations for students to walk to the intersections safely and have space to congregate.

School Administration's Additional Information: June 4, 2018

Based on the new data provided by the County, we project the Tan Bark development would add the following number of students to each school affected by this development:

- Mountain View Elementary = 50 students (21 from the single family and 29* from the townhouse)
 - Pence Middle School = 29 students (7 from the single family and 22 from the townhouse)
 - Turner Ashby High = 49 students (11 from the single family and 38 from the townhouse)
- The total number of students, at build-out, would be 128.

The Hose Company #4 Fire Department and Harrisonburg Volunteer Rescue Squad are the first due responders to the area. With the continued construction and growth in the County, the fire and rescue office has concerns with being able to provide emergency services to new and upcoming projects and locations while maintaining current emergency responses.

The subject properties are shown in the Comprehensive Plan as Community Residential and are within the Urban Growth Boundary. The Plan provides the following guidance for Community Residential areas:

Land Use Pattern and Urban Design. These areas are planned for a variety of housing types, but primarily single-family detached homes, at a net density of two (2) to six (6) dwelling units per acre for any particular project. . . Residential development at the high end of this density range is encouraged in order to make efficient use of the land within the growth areas and to prevent suburban sprawl.

The County will consider innovative townhouse and apartment layouts and designs and small-lot single-family detached housing types like patio homes and zero lot-line development to accomplish this goal.

In order to receive approval of residential densities at the higher-end range, the County will expect new development to provide the necessary infrastructure (roads, sidewalks, civic sites, and utilities) to serve the proposed development, and to be designed in a pedestrian-friendly manner with an interconnected street network. Thus, to the greatest extent feasible, new development should be in accord with traditional neighborhood design principles.

On April 3, 2018, the Planning Commission recommended tabling this request, stating that due to no final approval from the City on water at that time, the Commission would table the request.

On June 5, 2018 the Planning Commission s recommended approval of the request, stating that following staff's presentation of the City's signed approval regarding public water service, additional school data, and the Master Plan revisions to the buffer area in response to the applicant meeting with Skyview residents along Russell Drive.

Staff provided four additional comments regarding outstanding issues for the Board to consider:

- whether or not the existing stock of undeveloped lots, including their location and sale price, is adequate to meet the County's housing needs;
- how best to use the City's water allocation;
- the best use of sewer capacity; and
- the immediate and long-term impact on public schools.

Ms. Cooper said Todd Rhea gave her a letter of support from a citizen just prior to the meeting. Other letters from citizens are in the Board's packet.

Chairman Cuevas said it is important that all the facts and numbers appear correctly in relationship to the water allocation from the City. With 10 years' notice, the City can tell the County the water supply will no longer be available. He is not sure the Planning Commission was aware of the possible unavailability of water. Chairman Cuevas noted in order to accommodate development on the north end of the City, the County may have to pay for a new system to get water from the County sources or taking the sewer to the Sewer Authority under the capacity given to the County. Those are important points that need to be clarified.

Todd Rhea with Clark & Bradshaw, speaking on behalf of the applicant for this project, stated the project is well designed and tailored in location and layout to the County's Comprehensive Plan. He said extensive groundwork and agreements have been reached relating to all critical infrastructure needs for the project.

Mr. Rhea reviewed the land use goals and policies found in the County's Comprehensive Plan, as they relate to the location of the project. He said the County has successfully adopted and implemented the land use policy of encouraging development to meet the County's modest growth, primarily within urban growth areas. The policy direction is central to the structure of both the County's Comprehensive Plan and the Zoning and Subdivision Ordinances. Mr. Rhea noted Cobbler's Valley is located within the County's urban growth area and adjacent to the City limits. It is well served by public utilities and the local road network, with convenient access to Route 42 and the Stone Spring Connector.

Mr. Rhea said the developer entered a cost-sharing agreement with the City for the installation of a signal at the Pear Street/Stone Spring Road intersection, which is currently needed without future growth. The Comprehensive Plan encourages development of appropriate areas within the urban growth area to allow the agricultural reserve to continue as a predominantly rural area. Mr. Rhea said high density urban growth areas and the open agricultural reserve work together to build the kind of County envisioned in the Plan. All Comprehensive Plan land use maps show this property slated for residential development. He said another pressing factor is the lack of available zoned-residential land in southwestern Rockingham County, and the need for approved lots on the southwest side of the County. Students will not overcrowd the school system; they will trickle in over approximately 10 years. Cobbler's Valley is located in the urban development growth area, is slated for urban development and served by developed infrastructure in an area of the County lacking in housing options.

Mr. Rhea noted the Comprehensive Plan indicates housing for low and moderate income levels will be contained within neighborhoods and located in areas with convenient access to public services, with higher density developments encouraged near the City limits. Cobbler's Valley will have four housing styles: large and small single family homes, duplexes, and a large townhome community. The project contains a trail system and preserve for residents and the applicant will provide an upgraded buffer to Sky View Estates and construction traffic will travel by direct access to Pear Street.

Although Cobbler's Valley is a higher-density application, it falls within the ranges in the Comprehensive Plan for urban growth areas adjacent to the City. It follows plan directions for traditional neighborhood design when utilizing higher densities. The model provides reasonable growth in the County while preserving the agricultural reserve. Density is critical for housing affordability. They anticipate all housing types to fall within \$170,000 to \$250,000. The mix implements the Comprehensive Plan.

Mr. Rhea said the Wenger family members are farmers and builders with real estate and construction experience. The property is their family farm and they are local citizens tied into the community they are seeking to serve. They worked with their neighbors regarding concerns and have been responsive to staff and agency recommendations. The Wengers have the resources and expertise to manage the project, and they will use more local trades. He closed by requesting the Board's approval.

Carl Snyder from Valley Engineering provided a presentation to the Board. He stated the applicant has worked with neighboring property owners to secure an easement from the Route 42 sewer line to this property. Preliminary sewer designs were provided to Public Works for the sewer main extension. They obtained a railroad permit for the required railroad crossing. He

said the City Traffic Impact Analysis (TIA) recommended access to Route 42. He noted they visited the access to Route 42 quite a few years ago, but the Railroad indicated they would not provide additional permitted crossings for traffic. They worked through the City/County water agreement. They looked at obtaining water from the County but the nearest County water main is about a mile away, making it cost prohibitive. Mr. Snyder said the layout is the result of numerous meetings with County staff to develop an urban neighborhood. Streetscape designs are becoming more popular in urban settings, and get away from the cookie-cutter type houses. He said this housing design is well received, and the housing types will preserve as much of the topography as possible.

Mr. Snyder noted a town hall meeting was held with residents in Sky View Estates, with Planning Commissioners Burkholder and Rees attending. He said they were able to diminish many of the neighbor's concerns at the meeting. As a result of the meeting, they enhanced the buffer and the sequence of construction to begin on Pear Street to eliminate traffic traveling through the existing neighborhood. He also noted the traffic light is warranted now and will improve the level of service and safety, even after additional houses are built. The development has natural drainage so a storm water design can be provided that meets current regulations. Mr. Snyder noted there is a decline in housing inventory, particularly in this part of the County, which will result in quicker sales and completion of the development. He closed by stating the project fills the need in a location where it is needed and in a location in keeping with the Compensation Plan.

Supervisor Chandler questioned the breakdown of housing numbers. Ms. Cooper stated it is 175 combined for duplex and single family detached units and 225 for townhouses.

Dennis Wenger, a managing partner with Tan Bark Lane LLC, noted he is one of the owners of Skyline Roofing and Stone Hill Construction. He and his brother own and operate a large poultry operation in the Valley. He said he shared that information with the Board to make them aware of his ties and dedication to the needs of the community. He went on to say the farm was owned by his wife's ancestor, David Heatwole, who moved to the Shenandoah Valley in 1792. Mr. Wenger said his family supports the request for the development and wants to be good stewards of the land.

Keith May stated the inventory in housing has dropped and people are scrambling to buy, which has increased the median price 13 percent this year. He said this is a dense housing project, which makes sense in that location because it joins the City and is off the Southeast Connector. The County and City will continue to grow, so water and sewer utilities need to be planned for that growth, he said.

Lynn Brubaker stated he is not opposed to growth, but he understands this is a rezoning from agricultural to residential development. He stated it is an ideal place for growth as Mr. Burkholder struggled to grow a crop on this land due to the limestone. Mr. Brubaker owns a farm in Montezuma and sees growth coming that way onto rich soil. From an agricultural standpoint, he is in favor of rezoning this property to create a housing development.

Andrea Konstant, with Cedar Hill Estates, which owns National Coach Estates, said she has been a realtor and property manager for several years. As Mr. Wenger's neighbor, she fully supports the project and said it fills a desperate need for affordable housing in the area.

Kim Sandum indicated R-5 requires sidewalks, and she wondered if there was phasing in the project. Ms. Stultz responded that the applicant did not proffer phasing, so that would be up to their discretion.

Chairman Cuevas closed the Public hearing at 9:18 p.m.

Supervisor Wolfe-Garrison noted she needs to recuse herself from all discussion, conversation and voting regarding this matter due to a possible conflict of interest.

Supervisor Kyger said since Districts 3 and 4 are adjacent to Supervisor Wolfe-Garrison's district, he is hoping Supervisor Chandler will look at the proposed project with him, in order to provide information to help the Board make a decision one way or the other.

Supervisor Kyger made a motion to table REZ18-057, Tan Bark Lane LLC, for further study and discussion in order to look at what was presented and meet with the applicants to see if some of the Board’s concerns can be addressed. He noted 20 percent of the water capacity from the City is a huge issue. He said people need to start thinking of creative ways to resolve that issue, as well as other issues due to the size of the request. He said there is a shortage of housing on the southwest side of the County. Supervisor Kyger indicated there has been a disproportionate share of housing units in the Spotswood district which caused an over-explosion in that area. He noted the Board also needs to consider the three incorporated towns and ask about their growth plans. Supervisor Kyger said since the sewer lines come under Route 42 and the railroad, there may be other utilities under them. He noted there is a lot to look at and consider before making a decision, and stated he and Supervisor Chandler will look further into those things, and will make a recommendation to approve or deny the request at a future date.

Supervisor Chandler seconded the motion to table REZ18-057 for Tan Bark Lane LLC.

Carried by a vote of 4 to 0 to 1, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – ABSTAIN; the Board tabled REZ18-057, Tan Bark Lane LLC, 4901 Crowe Drive, Mt. Crawford VA 22841, to rezone a total of 75.11 acres located on the west side of Pear Street (Route 922) approximately 0.15 mile southwest of Erickson Avenue (Route 726), from A2 (General Agricultural) to R5 (Planned Residential). The Comprehensive Plan identifies the area as Community Residential in the Urban Growth Boundary. Tax map #108-(A)-L188, 108-(A)-L189, 108-(A)-L164A and 108-(6)-L2. Election District 2:

ooooOoooo

OTHER BUSINESS.

Chairman Cuevas confirmed with Mr. Armstrong that a joint work session with the Planning Commission will be held on July 25, 2018 at 3:30 p.m., where staff will present the state of the County, which will include items to consider as the Board makes land use decisions and as staff begins the update of the Comprehensive Plan.

Chairman Cuevas said it is the responsibility of the Board, when it addresses growth throughout the County, to take into consideration the number of residential lots that may have already been approved for development because that cannot be taken back. He said the seven towns in the County have total jurisdiction as to how they develop and how many units they develop within their town limits. They expect the County to be sensitive to their growth needs as it deals with possible annexation of land in and around the town. He noted it is important for the Board to have knowledge of those items before addressing the impact to all taxpayers in Rockingham County. He said there are a number of issues that need to be looked at very seriously. When Schools say they have a capacity of 800 in a given school and there are only 600 children, it means there are 200 empty desks, but it does not indicate how many buses are available to transport the children to school or the operating cost.

Chairman Cuevas said Community Development planning staff will provide updated information at the work session, so the Board can compare those numbers with the needs being heard from others.

Chairman thanked those who attended and expressed appreciation for their input. He noted they will hear from the County regarding the information provided at the work session. He said they need to have knowledge of it for them to make proper decisions.

ooooOoooo

ADJOURNMENT.

Chairman Cuevas declared the meeting adjourned at 9:27 p.m.

Chairman