

August 8, 2018

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, August 8, 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:

- L. TODD GARBER, Treasurer
- BRYAN F. HUTCHESON, Sheriff

- STEPHEN G. KING, County Administrator
- THOMAS H. MILLER, JR., County Attorney
- 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
- BRADFORD R. DYJAK, Director of Planning
- JUSTIN S. MOYERS, Deputy Finance Director
- DIANA C. STULTZ, Zoning Administrator
- TAMELA S. GRAY, Deputy Clerk
- DONALD F. KOMARA, Residency Administrator  
Virginia Department of Transportation
- C. BURGESS LINDSEY, Assistant Residency Administrator  
Virginia Department of Transportation

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

Chairman Cuevas called the meeting to order at 3:00 p.m.

Chairman Cuevas provided the Invocation and Public Works Director Rhodes led the Pledge of Allegiance.

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**APPROVAL OF MINUTES.**

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 approved the minutes of the regular meeting of July 25, 2018.

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## **TRANSPORTATION DEPARTMENT.**

The Board heard Mr. Komara's report on the activities of the Transportation Department, including updates to bridge, road and rural rustic projects. He announced that the North River Road (Route 867) bridge opened for traffic two months ahead of schedule.

Mr. Komara indicated over 68 citizens registered at the citizen informational meeting on July 26, 2018, 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.

Maintenance items include mowing, grading dirt roads, windstorm clean-up, shoulder repairs, road ditching, opening pipes and removing brush.

Mr. Komara noted that a Statewide truck rodeo was held, with Scott Showalter from the Mauzy VDOT headquarters winning the skills assessment in a single-axle dump truck category.

Supervisor Kyger relayed several observations regarding the South Valley Pike (Route 11) project and indicated he would like to view an R-CUT like the one recommended. Mr. Komara noted there is one in a controlled access area on Route 29 in Charlottesville. Supervisor Kyger informed Administrator King that the Board's position needs to be documented, and he noted his concern about a traffic signal at the R-CUT to allow traffic to make the U-turn. When traffic is heavy on Route 11 due to being diverted from Interstate 81, trucks will not be able to make the U-turn because of traffic in the other lane. He said there needs to be a timed break for that to happen; otherwise truck traffic will line up in the R-CUT, the trucks will go on Route 11 and tie up the other lane, creating a parking lot going north and south. Mr. Komara said there are R-CUTs with signals to give motorists an opening to make a U-turn.

Supervisor Kyger understands that the current part of Cecil Wampler Road (Route 704) will be torn up, with the bridge removed and put back. He suggested requesting funds from the Governor's Economic Development Office to convert the old Cecil Wampler Road into an industrial access road for trucks entering and exiting Sysco, so those trucks can use the new signal at Oakdale Drive (Route 704) and the new Cecil Wampler Road instead of using an R-CUT to enter and exit South Valley Pike (Route 11).

Supervisor Kyger expressed appreciation to VDOT for mowing, and asked that they stay ahead of the rapidly-growing grass as it can become a safety issue. He also requested that the shrubs be cut back on Friedens Church Road (Route 682).

Supervisor Chandler said he would like to visit Indian Trail Road (Route 717) and Flook Lane (Route 724) in Keezletown with Mr. Komara. He asked that holes be filled and leveled off at the intersection of Indian Trail Road and Route 33 until the project to widen the road and add a turn lane at that intersection begins, as a vehicle went into a deep hole there recently.

Supervisor Breeden said a citizen contacted him about Hensley Holloway (Route 622) washing out. She said VDOT worked on it after it washed out two or three times, but indicated it is worse after the last rain. Supervisor Breeden did not think anything could be done where the school bus turns around, except to add gravel because of a right-of-way issue. He noted that this road is at least a mile long, but suggested it be addressed as a rural rustic project, if possible. Mr. Komara noted a lot of the issue is due to drainage, and VDOT has increased the size of numerous pipes. Mr. Komara will visit the area with Supervisor Breeden.

Supervisor Wolfe-Garrison asked if the trucks that make U-turns are doing so to access Interstate 81. She does not see a reason to make a U-turn to go to Interstate 81, since the interstate can be accessed at other locations. Mr. Komara said if there is a U-turn possibility, trucks will use it and he thinks VDOT has to construct U-turns to facilitate the trucks. He noted that in most locations where U-turns are successful, there are a lot of small cars that can whip around quickly, but these pose an issue for trucks to negotiate when the traffic is heavy. He noted the purpose of the R-CUT is to eliminate left turns from side roads and businesses and limit the need for traffic signals. Using the fairgrounds as an example, he explained that traffic leaving from the fair going to Harrisonburg currently turns left, but the R-CUT will require

traffic to turn right exiting the fair, and then make a U-turn to head north on Route 11, or they can proceed to Interstate 81. He said trucks using the U-turn, can get stuck sideways and block the lanes.

Supervisor Wolfe-Garrison asked about John Wayland Highway (Route 42) in front of the Wal-Mart and whether there has been a determination about the culvert under Grace Chapel Road (Route 853). Mr. Komara said the VDOT Superintendent plans to look into the issue. He said it is currently under water and will remain under water after the culvert is cleaned out, but the water will flow better.

Chairman Cuevas asked that VDOT consider a historical sign for Shenandoah Conservatory. He asked Mr. Komara to let the Board or Town of Dayton know if an endorsement will be helpful, and noted the Mayor of Dayton has no objections to a sign. There is a sign in front of the administration building that was placed there by the college, but the university would like a sign erected at each end of Dayton for visitors to see as they enter the town.

Chairman Cuevas thanked Mr. Komara and the VDOT crews for their work.

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**TREASURER’S ANNUAL REPORT.**

L. Todd Garber, Treasurer, presented the Board with a report of the County’s annual tax collections, along with a summary of uncollectible and delinquent taxes. He noted that it has been a good year for collections, with a steady increase in real estate and personal property tax payments. Collections have continued to increase over the last seven or eight years, he said.

Mr. Garber indicated the County collected 95.84 percent of the first half 2018 real estate taxes, which were due June 5, 2018. Typically his department does not take any collection action on those outstanding amounts until after billing the second half of the year’s taxes in December. This year, Mr. Garber sent out a reminder notice to individuals who had not paid their real estate taxes. Since July 1, 2018, the Treasurer’s Office has collected \$255,000 to increase the collected percentage to almost 97 percent. He noted his department will continue to send a short reminder letter suggesting citizens “pay now to save on additional interest.”

Mr. Garber said when tax collections for the second half of 2017 are added together, all the collections are the same as last year at 98.62 percent collected. He noted there was an increase in the personal property tax rate, which did not affect the collection rate.

In 2017, taxes collected were as follows:

	<b>ASSESSED</b>	<b>PERCENTAGE COLLECTED</b>
Real Estate (1 <sup>st</sup> half)	\$ 27,589,314	98.70%
Real Estate (2 <sup>nd</sup> half)	\$ 28,007,144	98.42%
Personal Property	\$ 21,841,108	98.41%
Public Service Personal Property	\$ 41,223	100.00%
Machinery & Tools	\$ 9,734,533	99.76%
Merchants Capital	\$ 1,443,245	99.45%
Mobile Homes	\$ 182,295	91.94%
Agriculture Equipment	\$ 514,273	99.74%
Late Filing Fees	\$	93.79%

Recreational Vehicles	92,675	
	\$	98.71%
	173,480	
Vehicle License Fees	\$	96.35%
	1,346,026	

Mr. Garber directed the Board's attention to the following tax collection report:

**TAX COLLECTION REPORT**  
**As of June 30, 2018**

**REAL ESTATE**

<b><u>Tax Year</u></b>	<b><u>Levy</u></b>	<b><u>Collected</u></b>	<b><u>Percentage Collected</u></b>
2017	\$57,907,159	\$57,106,294	98.62%
2016	\$ 54,018,343	\$ 53,610,853	99.25%
2015	\$ 50,941,659	\$ 50,780,682	99.68%
2014	\$ 47,708,894	\$ 47,599,516	99.77%
2013	\$ 46,936,670	\$ 46,863,833	99.84%
2012	\$ 46,482,372	\$ 46,423,092	99.87%
2011	\$ 43,079,159	\$ 43,030,255	99.89%
2010	\$ 42,681,849	\$ 42,646,099	99.92%
2009	\$ 40,521,624	\$ 40,494,496	99.93%
2008	\$ 39,673,316	\$ 39,649,355	99.94%
2007	\$ 37,034,243	\$ 37,015,347	99.95%
2006	\$ 35,745,399	\$ 35,731,863	99.96%
2005	\$ 29,946,179	\$ 29,937,369	99.97%
2004	\$ 28,868,123	\$ 28,859,142	99.97%
2003	\$ 28,107,841	\$ 28,099,918	99.97%
2002	\$ 27,256,839	\$ 27,249,787	99.97%
2001	\$ 23,851,274	\$ 23,845,653	99.98%
2000	\$ 23,141,459	\$ 23,136,784	99.98%
1999	\$ 21,413,755	\$ 21,408,780	99.98%

**PERSONAL PROPERTY**

<b><u>Tax Year</u></b>	<b><u>Levy</u></b>	<b><u>Collected</u></b>	<b><u>Percentage Collected</u></b>
2017	\$ 34,022,833	\$ 33,619,493	98.81%
2016	\$ 31,695,226	\$ 31,553,201	99.55%
2015	\$ 29,489,003	\$ 29,362,087	99.57%
2014	\$ 28,395,481	\$ 28,302,127	99.67%
2013	\$ 28,479,627	\$ 28,381,790	99.66%

By adding the 2013 through 2017 real estate tax collections with the amount collected during the first half of 2018, the County has collected 99.16 percent of the real estate and personal property taxes.

Mr. Garber noted the total personal property collections for the last five years amount to 99.4 percent.

Mr. Garber noted that the Treasurer's Office collection policy has remained the same over the last several years, using the same forms of collections such as letters, DMV stops so motorists cannot renew their tags until the tax bill is paid, collecting setoff debt from tax returns, making personal phone calls, garnishing wages, and placing Sheriff liens if a person cannot be located.

He noted the collections attorney at Hoover Penrod, LLC has been doing a great job, and sold five undeveloped abandoned properties this year. There are 54 properties under a monthly payment plan until the payments are caught up, and they issued approximately 900 civil warrants on personal property for judgments if the taxes are not paid in the next two months. The Treasurer's Office mailed 1,600 more personal property tax bills than last year, bringing the total bills to 63,000. Mr. Garber noted they only processed an additional 350 parcels on real estate bills last year.

Last year the Treasurer's Office processed 296,000 transactions, with seven percent paid by mortgage companies through escrows, and \$4.3 million (10 percent) paid through the online

payment system on the County website (a \$400,000 increase from the previous year). He noted 37 percent of payments were received by mail during the heavy tax times and an additional 46 percent were paid by walk-ins, the drop box or miscellaneous mail received throughout the year.

The Treasurer's Office has been working on the MUNIS software implementation, and will execute a utility module on August 21, 2018. They will run the current collection system and the MUNIS system simultaneously until all the modules are functioning. Staff is trying to make the transition seamless and efficient so citizens do not notice any change or have to wait longer when paying in person.

In closing, Mr. Garber thanked the Board for their continued support by providing funding when the state does not.

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Chairman Cuevas asked about the County conducting mailings for some of the towns. Mr. Garber said the Technology Department currently provides the towns with a file and the towns print their own bills and prepare their own mailings. Chairman Cuevas noted he has observed that staff in the Commissioner of the Revenue and Treasurer's Offices help the towns. He is glad the County assists the towns, but indicated he does not think citizens realize that the County assists the towns in this manner. Chairman Cuevas noted he has heard very few complaints about the Treasurer's Office and said the County is thankful for the elected Constitutional Officers.

On motion by Supervisor Chandler, 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 accepted the Treasurer's annual report of collections and uncollectible and delinquent taxes, in accordance with §58.1-3921 et seq. of the Code of Virginia.

In reference to the real estate taxes collected from mortgage companies through escrow, Supervisor Kyger asked if there was an option for citizens to continue to pay their taxes monthly after their mortgage is paid in full, so the County is guaranteed the money and it is easier for citizens to pay along. Mr. Garber indicated this is not currently an option but there is such an option for real estate and personal property taxes with the new MUNIS system.

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**INTENT TO ADOPT – ORDINANCE AMENDMENT – DOG LICENSES.**

A public notice of the Board's intent to amend Sections 4-27 and 4-28 of the County Code pertaining to dog licenses was published. The proposed amendment will repeal the current two- and three-year licenses and replace them with a lifetime license.

Treasurer L. Todd Garber told the Board he spent the last year looking into legislation passed in 2017 to give localities the option to sell a lifetime dog license, and the effect of the lifetime license in other localities. Since he found no significant issues, Mr. Garber recommended eliminating the two- and three-year dog licenses. He recommended continuing the one-year licenses and offering lifetime licenses for \$10.00, which is the same price as a three-year license. The lifetime license is valid as long as the dog is alive, their rabies vaccination is current, and the owner lives in the County. If the vaccination is invalid, the license becomes invalid.

Chairman Cuevas noted the intent of the license is not for the County to collect additional revenue, but to encourage citizens to have their dogs vaccinated to prevent rabies.

Eric Rynar said the problem with a lifetime license is not knowing a dog has not been vaccinated until it has rabies and attacks someone. He thinks it is important to make sure dogs get vaccinations. He noted that citizens may not take their dog to the veterinarian until it is sick, so there is a possibility of the dog not being vaccinated until it has to go to the vet. Mr. Rynar, who lives in District 5, said hunting dogs are loose during hunting season, which causes a possible threat if the dog is not vaccinated, has rabies and attacks someone.

Mr. Garber explained that state law requires each veterinarian to notify the Treasurer's Office within 45 days of dogs receiving rabies vaccinations. They provide the County with the name of the owner, their address and the dog's name. Mr. Garber said the idea for a lifetime dog license was suggested by a study group led by the state veterinarian. The group also consisted of animal control and law enforcement personnel, veterinarians, and representatives from animal rights and health groups. The group proposed legislation to the General Assembly that was passed. Since there are only one or two cases of rabies from dogs reported in Virginia each year, the group did not think a lifetime license would be an issue.

In response to questions from Supervisor Kyger, Mr. Garber said when vaccinations are reported by veterinarians, his office is required to see if the dog has a dog tag. If not, Mr. Garber is required to send the owner a letter indicating they need to purchase a dog tag. He noted the County sells 3,800 dog tags, but there are many more dogs than that in the County. He said many dogs that are vaccinated regularly do not have a dog tag and the dog license does not guarantee a dog will get a rabies vaccination, he said.

County Attorney Miller interjected that a dog license is an ineffective way to keep people accountable to have their dogs vaccinated. Whether the owner purchases a three-year license or lifetime license does not matter because no one checks on dogs with expired licenses; the dog could have died or no longer be in the County. Therefore, the period of time of the license does not have any effect on the vaccination.

Supervisor Chandler asked if there are consequences for citizens that do not take their dogs to the veterinarian for a rabies vaccination. Mr. Garber responded that state law requires a vaccination, but he did not know how much the owners are fined if their dogs are not vaccinated.

Administrator King noted that a dog tag is a benefit for the owner if a dog gets loose. Mr. Garber agreed that the tag just identifies the dog, and said Animal Control calls the Treasurer's Office to find out who the dog's owner is, and will ask the owner if the dog has a current rabies vaccination certificate.

Additional discussion ensued regarding the dog license procedures and it was agreed that this is not an efficient system.

Chairman Cuevas said dog licenses work on an honor system; owners obtain vaccinations for their dogs because they care about the animal being exposed to the risk of disease.

Supervisor Chandler questioned if the County can provide a one-year, three-year and lifetime license. Mr. Garber said that was possible but would require the County to purchase more tags each year. He does not think citizens would purchase a three-year license when a lifetime license is the same price (\$10.00).

Supervisor Kyger said the Board is dealing with the sensitive nature of dog owners. He sees both sides of the issue, but said he was not ready to make a decision. He suggested considering the dog license ordinance after recess.

Chairman Cuevas said he would postpone the decision regarding the dog license ordinance until the second part of the meeting. He informed Mr. Garber that if Board members have questions, they will postpone action until the next meeting to provide an opportunity to clarify questions.

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## **PERSONAL PROPERTY TAX RELIEF FOR 2018.**

Treasurer L. Todd Garber addressed setting the personal property tax relief for non-business use motor vehicles. After working with the Director of Finance and Technology Department, Mr. Garber recommended a relief level of 47 percent.

When Chairman Cuevas asked about the previous rate, Mr. Garber noted the percentage was 41 last year, which was significantly lower than previous years. He explained that the

Commissioner of the Revenue had difficulty setting the rate for 2017 due to a delay in the valuation of vehicles, a new weight threshold ratio for vehicles receiving relief, and a tax increase. Mr. Garber said there are fewer variables this year and the history from the last five years was taken into consideration to determine the percentage.

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 voted to establish the Personal Property Tax Relief percentage for 2018 at 47 percent for all non-business related vehicles in Rockingham County.

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**INTENT TO ADOPT ORDINANCE AMENDMENT – BRIDGEWATER PRECINCTS.**

The Board reviewed a public notice of the intent to amend Sections 6A-6 and 6A-7 of the County Code to change the name of the Bridgewater Precinct (401) to the West Bridgewater Precinct (401), to include the area west of Main Street within the corporate limits of Bridgewater, with the polling place to be located at the Bridgewater Community Center; and establish the East Bridgewater Precinct (406) from a portion of the Bridgewater Precinct, to include the area east of Main Street within the corporate limits of Bridgewater, with the polling place to be located at the Bridgewater Church of the Brethren.

Supervisor Kyger explained that Bridgewater has a large number of voters in one precinct which has caused problems, particularly during presidential elections. Voters wait in long lines and there is limited parking at the Town Hall. He noted that inclement weather makes it more difficult.

The Electoral Board went through a detailed process to provide several options, and Supervisor Kyger said he is comfortable with the option advertised. Since there is only one street (Main Street) that goes all the way through Bridgewater, the number of voters is not divided in equal proportions (1,337 and 2,024 voters) between the two precincts, but this option presents the least confusing map, he said.

Supervisor Kyger noted the polling places are accessible, visible and have adequate parking, but some signage modifications are needed. Supervisor Kyger has discussed the suggested option with Bridgewater officials and citizens, who are in favor of the plan.

Supervisor Kyger asked that maps be posted with the new precinct lines and polling places at various locations, such as the Bridgewater Town Hall and North River Library, for citizens to review well in advance of the next election. He stated the Electoral Board will also notify voters of the precinct changes.

Susan Threewitts from the Electoral Board was available to answer questions, and confirmed that all registered voters in Bridgewater will be notified in advance. In response to a question from Administrator King, Mrs. Threewitts indicated there should be enough voting machines and polling booths.

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 adopted the following ordinance amendment:

**ORDINANCE  
REPEALING AND RE-ENACTING  
ELECTION DISTRICT NUMBER 4 PORTION OF  
SECTION 6A-6,  
AND  
BRIDGEWATER PRECINCT 401  
AS WEST BRIDGEWATER PRECINCT 401  
AND  
ENACTING EAST BRIDGEWATER PRECINCT 406  
FOUND IN  
SECTION 6A-7  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That Section 6A-6 “Precincts and polling places – Establishment and authority” be and hereby is repealed and re-enacted as follows:

	<i>Precinct</i>	<i>Election District No. 4 Polling Place</i>
401	West Bridgewater	Bridgewater Community Center
402	Montezuma	Montezuma Hall
403	Mt. Crawford	Mt. Crawford Ruritan Hall
404	North River	Massanutten Technical Center
405	Ottobine	Ottobine Elementary School
406	East Bridgewater	Bridgewater Church of the Brethren

That Section 6A-7 “Precinct boundaries” be and hereby is amended as follows:

Bridgewater Precinct 401 is repealed and re-enacted to state:

West Bridgewater Precinct 401  
All that area west of Main Street (SR 42) and within the corporate limits of the Town of Bridgewater.

And a new precinct, East Bridgewater 406, is hereby enacted as follows:

East Bridgewater Precinct 406  
All that area east of Main Street (SR 42) and within the corporate limits of the Town of Bridgewater.

Precincts 401 and 406 shall be listed in numerical order in the Rockingham County Code, Section 6A-7.

Only the two mentioned precincts are affected by this ordinance. All other portions of Section 6A-7 continue as they were, reaffirmed and unaffected.

This ordinance shall be effective from the 8th day of August, 2018.

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**COUNTY ADMINISTRATOR’S STAFF REPORT.**

The Board received and reviewed Administrator King’s staff report dated August 3, 2018. He brought attention to the employee service recognition scheduled on October 24 at 3:00 p.m.

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**ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.**

The Board received and reviewed Mr. Armstrong's Community Development staff report dated August 8, 2018.

Mr. Armstrong was on vacation. Administrator King noted that Ms. Cooper needed to leave the meeting to work on final submissions for Smart Scale applications, but indicated she would provide the Community Development staff report later in the meeting.

Ms. Stultz introduced the new Director of Planning, Bradford Dyjak, who moved to the Valley from New Mexico. He was the Community Development Director at a seasonal resort community in New Mexico.

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**FINANCE DIRECTOR'S STAFF REPORT.**

Justin Moyers, Assistant Director of Finance, was available to answer questions. He noted the Finance Department is preparing for the annual audit.

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**HUMAN RESOURCES DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mrs. Mongold's staff report dated August 8, 2018.

Mrs. Mongold announced Lori Wade recently joined the Human Resources Department.

She reminded the Board and staff that the County benefits open enrollment period ends August 17, 2018.

Mrs. Mongold noted the Board clarified a discrepancy in the Employee Handbook regarding the Annual Leave Policy at the July 11, 2018 meeting. After further review, she is recommending changes be made to the Employee Handbook so the Paid Time Off (PTO) Policy is consistent with the way the Annual Leave Policy was originally written.

Rather than looking at whether Constitutional Officer's positions are funded by the State or County, staff would like to consider all Constitutional Officers, as a whole, not be eligible for leave time when they terminate employment. She noted this eliminates discrimination if all employees in a Constitutional Officer's department do not fall under the same Annual Leave Policy.

Chairman Cuevas confirmed that this means the benefit will be determined based on whether or not the employee works for a Constitutional Officer, not who pays them or where the funding comes from. Chairman Cuevas asked Mrs. Mongold to ensure all Constitutional Officers and their employees understand the amended Annual Leave Policy.

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 adopted the following revision to the Paid Time Off (PTO) Policy included in the Employee Handbook:

Annual Leave: 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 are not eligible for payment of accumulated leave time at termination/retirement.

Termination/Retirement Payment of PTO Hours: Employees of Constitutional Officers are not eligible for payment of accumulated leave time at termination/retirement.

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**PUBLIC WORKS DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mr. Rhodes' staff report dated August 8, 2018.

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**TECHNOLOGY DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mrs. Perry's staff report dated August 2018. She noted the County still has not received information regarding the cyber security audit grant.

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**FIRE AND RESCUE CHIEF'S STAFF REPORT.**

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

On behalf of the Board, Chairman Cuevas thanked Chief Holloway and his department for their efficiency in dealing with floods, fires, emergency medical services, and assisting neighboring localities when they have difficult challenges.

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**PARKS & RECREATION DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mr. Dean's staff report dated August 1, 2018.

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**COURT SERVICES DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mrs. Freeman's staff report dated August 8, 2018.

Chairman Cuevas expressed appreciation to Mrs. Freeman, Sheriff Hutcheson and Commonwealth's Attorney Garst for their hard work on complex issues.

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**COMMITTEE REPORTS.**

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

**AIRPORT**

Supervisor Kyger brought attention to a graph indicating the total passenger traffic at Shenandoah Valley Airport in 2018. The anticipated July boarding will be about 3,000, which is almost double the boardings when SkyWest Airlines, the United carrier, started in April 2017. He said the airline is impressed with the increased boardings, which bodes well for Shenandoah Valley Regional Airport (SHD). He hopes people continue to fly SHD. The airline continues to look for ways to make improvements. He said one stop in West Virginia will be eliminated to shorten the flight time to Chicago and provide 30 percent more connections from Shenandoah Valley. He noted Greg Campbell and Michael Heatwole are available to provide reports to the Board. He suggested having them come to Board meetings twice a year to provide a report, and submit additional information as needed.

Chairman Cuevas asked Supervisor Kyger to connect Messrs. Campbell and Heatwole with Administrator King so they can be included on the agenda. Chairman Cuevas said he hopes some of the benefit is from James Madison University (JMU), that the good rapport between the airport and JMU continues, and airport staff let the appropriate individuals at JMU know their support of the Shenandoah Valley Regional Airport is appreciated.

COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)

Supervisor Kyger reported that the CCJB meeting will be held October 15, 2018. The group is working on a meeting location, but have a commitment from Kathy Rowings, Associate Program Director for Justice, from the National Association of Counties, to provide an informational presentation to the CCJB, Board of Supervisors, City Council, stakeholders in the local judicial system, and community members. He plans to contact Neal Goodloe from the Thomas Jefferson Area Criminal Justice Board to find out if he can attend and provide information on his role.

Supervisor Kyger stated the Harrisonburg Rockingham Community Criminal Justice Board has made tremendous progress in criminal justice administration. He realizes the numbers have increased but if some of the programs such as the drug court, a mental health team that is working with the Community Services Board and Sentara RMH, and a mobile crisis team that responds in advance of incarceration at the jail to deal with mental health issues had not been instituted, the numbers would be higher.

At the National Association of Counties Annual Conference, Supervisor Kyger and Administrator King observed that Rockingham County and Harrisonburg are struggling like almost every community in the nation to redefine the criminal justice system to make it better, more efficient, and less costly. A large number of people involved in the criminal justice system are there due to an addiction or mental health issue. When mental health was downsized in the 1970s and 1980s, a lot of programs were eliminated and people were forced into the criminal justice system. He thinks some issues can be addressed through other means. He said Mrs. Freeman, Sheriff Hutcheson and Commonwealth's Attorney Garst are trying to determine a way to reduce the incarceration numbers and reduce repeat offenders. He said the issue did not happen overnight and it cannot be fixed overnight. He wishes people would stop blaming people that are working to make the criminal justice system better. He said it will not happen immediately, but the CCJB needs to examine what other communities are doing to determine if those programs would work in Harrisonburg and Rockingham County.

Supervisor Kyger applauded those involved in the criminal justice system as they are working tirelessly to improve the situation.

Chairman Cuevas agreed with Supervisor Kyger, and said he thinks part of the issue is due to a lack of economic opportunity. He also noted people's home lives are not as strong as they should be because both parents work. However, he thinks the system can be improved.

HARRISONBURG-ROCKINGHAM METROPOLITAN PLANNING ORGANIZATION (MPO)

Supervisor Wolfe-Garrison noted there is a Metropolitan Planning Organization committee meeting on August 9, 2018.

VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Supervisor Kyger said the VACo Summer Summit will be held on August 16, 2018, in Fredericksburg. Administrator King stated that he will be driving to Fredericksburg if anyone would like to go for the afternoon.

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**ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT CONTINUED.**

Ms. Cooper reported that she submitted the Smart Scale projects for the Route 11 (North Valley Pike) sidewalk project, and turn lanes for Route 33 (Spotswood Trail) and Route 620 (Indian Trail Road), as well as turn lanes on Route 276 (Cross Keys Road) and Route 253 (Port Republic Road).

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Ms. Cooper reported that Carl Berkey requested the Board waive the public hearing requirement on a proposed rezoning that would change the existing proffers on Tax Parcel 107-(A)-L166, property Mr. Berkey began developing southwest of the Belmont Subdivision. Ms. Cooper stated that the new proffers will not impact the approved uses or density; therefore pursuant to Code of Virginia §15.2-2302.B, the Board may waive the requirement for a public hearing.

Supervisor Wolfe-Garrison asked about the anticipated time span for the development. Ms. Cooper said that information would be included in the rezoning request as Mr. Berkey amends the proffers. Chairman Cuevas confirmed that a rezoning will be necessary to address the overall impact of the project.

Mr. Miller explained that all aspects of the rezoning will remain the same, except the public hearing can be waived. Ms. Cooper interjected that the use is for single-family detached housing and the number of units will remain the same.

Supervisor Wolfe-Garrison questioned the specifics of the waiver. Mr. Miller explained that a public hearing was held previously. Since the rezoning will not impact the approved uses or density, the State Code allows the Board to waive a second public hearing to consider those changes.

In response to a question from Supervisor Wolfe-Garrison, Ms. Cooper noted the original public hearing was approximately eight years ago. She further noted that the proposed rezoning has to do with Mr. Berkey not developing the lots as quickly as he anticipated, which alters the original phasing. She noted that the development will have a sidewalk as initially indicated, and stated the request is very straight forward.

Supervisor Wolfe-Garrison recommended tabling the request to waive a public hearing to allow the Board to review the rezoning and see what was originally approved. She noted there are drainage and development issues in Belmont, which she would not want to magnify by not looking at something in eight years.

Ms. Cooper explained that everything about the process remains the same, with the same department and agency scrutiny. Staff will present a rezoning report, but the public hearing will be omitted, if approved. The rezoning will come before the Planning Commission and be advertised, but not as a public hearing. It will also go before the Board of Supervisors.

Although there is no requirement for a public hearing, Supervisor Kyger asked if the Board can request holding a public hearing. Mr. Miller suggested that if citizens come to the meeting, the Chairman can accept their comments.

Ms. Cooper noted she could see what information has been provided since her last involvement with the project, and she will provide that information during the evening session. Chairman Cuevas agreed with Ms. Cooper providing that information so the Board has proper knowledge and timing of the impact of the development.

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 delayed the decision to waive the public hearing as requested by Carl Berkey, to allow Ms. Cooper to provide information regarding what was originally approved, what Mr. Berkey wishes to change, and details regarding any impact of those changes.

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**CLOSED MEETING.**

On motion by Supervisor Chandler, seconded by Supervisor Wolfe-Garrison, 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 4:42 p.m. to 4:59 p.m., for a closed meeting pursuant to 2.2-3711. A (3), Discussion or consideration of the acquisition of real property for a public purpose, or of the

disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

MOTION: SUPERVISOR BREEDEN                      RESOLUTION NO: 18-16  
SECOND: SUPERVISOR CHANDLER                  MEETING DATE: AUGUST 8, 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:

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**OPEN EVENING MEETING.**

At 6:00 p.m., Chairman Cuevas opened the meeting to consider matters that were postponed during the afternoon portion of the meeting.

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**INTENT TO ADOPT – ORDINANCE AMENDMENT – DOG LICENSES CONTINUED.**

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; on recommendation of the Treasurer, the Board adopted the following ordinance amendment:

**ORDINANCE REPEALING  
AND RE-ENACTING  
SUBSECTION 4-27(b)  
AND  
SUBSECTION 4-28(4)  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That Subsection 4-27(b) “License tax - Amount” be and hereby is repealed and re-enacted as follows:

Subsection 4–27(b) Furthermore, if a county resident determines to purchase a lifetime license for a male, female or unsexed dog pursuant to Section 4 – 28 (4) of this Code the lifetime license tax shall be ten dollars (\$10.00). License fees are not transferable to other animals and are not refundable.

**BE IT FURTHER ORDAINED:**

That Subsection 4-28(4) “Same – When payable” be and hereby is repealed and re-enacted as follows:

Subsection 4-28(4) Notwithstanding subsection (1), (2) and (3) immediately preceding, upon presentation of evidence of rabies vaccination as required by Section 4-26 of this Code, any resident may purchase a lifetime license rather than a one calendar year license. A lifetime license is valid for the lifetime of the dog, and only for so long as the dog has a current rabies vaccination. This subsection shall not be construed to permit the purchase of kennel license for more than a one-year period.

These ordinances shall be effective from the 1<sup>st</sup> day of November, 2018.

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**ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT CONTINUED.**

Supervisor Wolfe-Garrison noted that a request from Carl Berkey to waive a public hearing on a proposed rezoning that would change the existing proffers on Tax Parcel 107-(A)-L166, but would not impact the approved uses or density, was delayed during the afternoon portion of the meeting.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Chandler, and carried by a vote of 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 a request from Carl Berkey for the Board to waive the public hearing on a proposed rezoning that would change the existing proffers on Tax Parcel 107-(A)-L166.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Kyger, and carried by a vote of vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board denied Carl Berkey’s request for the Board to waive the public hearing on a proposed rezoning that would change the existing proffers, but would not impact the approved uses or density on Tax Parcel 107-(A)-L166.

Mr. Miller clarified Mr. Berkey can submit his rezoning application to make changes, but a public hearing will be held.

Supervisor Wolfe-Garrison noted the original request was approved in 2005 and has not been revisited since then. Therefore, she believes it should be evaluated.

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**PUBLIC HEARING – SPECIAL USE PERMITS.**

At 6:06 p.m., Chairman Cuevas opened the public hearing and Ms. Stultz reviewed the following special use permit requests:

- SUP18-170 North River Investments, LLC 1402 Airport Road for an aircraft museum on property located on the north side of Airport Road (Route 727) approximately 2 miles east of Warm Springs Pike (Route 42), Election District #4, zoned A-2. Tax Map #137-(A)-36. Property address: 1180 Airport Road

Michael Stoltzfus from Dynamic Aviation reported that in 2015, Dynamic Aviation purchased the first Airforce One. They are currently conducting an extensive restoration on the airplane. Dynamic Aviation would like to open a museum so the historic airplane and other aircraft can be available for the public to view.

Dynamic Aviation, which recently celebrated their 50<sup>th</sup> anniversary, employs 630 people, most of which are in the Valley. Mr. Stoltzfus stated they are honored to call Rockingham County their home, and are grateful for the support from the Board as their business has grown.

Kenny Linhoss owns land adjoining the airport and said he is in support of the museum, but is concerned about traffic when Interstate 81 is closed. He said a stoplight is needed in Mt. Crawford for motorists to turn onto South Valley Pike (Route 11) when there are accidents on Interstate 81.

Supervisor Kyger noted he has heard concerns regarding traffic through Mt. Crawford on South Valley Pike (Route 11) and Bridgewater on Main Street (Route 42) when Interstate 81 is closed. Supervisor Kyger said he will talk further with VDOT about a traffic light on both ends of Dinkel Avenue (Route 257).

Dr. Christopher Sheap, who has lived on Airport Road for a number of years, said Karl Stoltzfus has been an excellent neighbor. He thinks the museum is a superb idea.

No one spoke in opposition to the request.

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SUP18-175 Leonard Showalter, 8972 Payne Hollow Lane, Singers Glen 22850 for a warehouse for poultry bedding and shop to work on truck on property located on the north side of Keller Road (Route 752) approximately 875' west of W. Dry River Road (Route 738), Election District #4, zoned A1-AF4. Tax Map #106-(A)-46B. Tax Map #106-(A)-46B. Property address: 5142 Keller Road

Ms. Stultz noted this request is the result of a zoning violation. As soon as the property owner, Don Rohrer, was notified there was a violation, he and the applicant took the necessary steps to bring the property into compliance.

The applicant was not in attendance.

No one spoke regarding the request.

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SUP18-177 Pike Mennonite Church, 31 Pike Church Road, Harrisonburg 22801 for a cemetery on property located on the southwest side of Liskey Road (Route 756) and Pike Church Road (Route 701), Election District #2, Zoned A-2. Tax Map #123-(A)-99A1

Supervisor Wolfe-Garrison asked if there is a requirement that notification be received from the City. Ms. Stultz said it was not required. Under State Law the County simply has to notify the City of any special use permit within one-half mile of the City limits.

Luke Heatwole from Pike Mennonite Church said the church purchased the land with the intent of expanding their current cemetery.

No one spoke in opposition to the request.

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SUP18-190 Every Soul Acres, LLC (Bobby and Laura Wolfe), 2411 Flook Lane, Keezletown 22832 for an event center (ministry events) on property located on the east side of Flook Lane (Route 724) approximately 2000' east of Indian Trail Road (Route 717), Election District #3, A-2. Tax Map #96-(A)-77 & Tax Map #96-(A)-78

Supervisor Chandler asked about the hours of operation and the number of people attending events. Ms. Stultz indicated the times of operation are as listed in the County Code

since no time or number of attendees were included on the application. Ms. Stultz provided the Board with one letter of concern she received.

Applicant Bobby Wolfe said he and his wife are the third generation to own the family farm. They currently operate a four-season farm, which is unusual, and they have donated 10 percent of their profits to four organizations. They have been blessed and want others to be blessed by the property.

Weldon Armentrout, a neighbor of the Wolfes, said he is excited about the planning and ministry the Wolfes are speaking of, but he believes there are unanswered questions. He would like to know more about the ministries to be conducted and who they will share those ministries with.

Michael Boland, an adjacent landowner, said it sounds like a great idea, but he is concerned about an event venue and asked if a special use permit is a permanent designation. He also wonders what the ministry event will encompass and would like to know more specifics. Mr. Boland noted part of his parcel was subdivided as a family division and is close to the proposed event venue, so he would like to know what the effect will be on adjoining neighbors. He is for the Wolfe family fulfilling their dreams but wants to make sure the use will be compatible. Mr. Boland is reluctant to turn the property into a commercial venture.

Chairman Cuevas indicated a special use permit remains with the property, not with the owner.

Bob Threewitts indicated he owns property adjoining the proposed event venue. He knows and appreciates the Wolfe family, but is concerned about the road. He said the entrance to Flook Lane from Mountain Valley Road is a one-vehicle path and the entrance from Indian Trail Road is a vehicle and a quarter wide with slow-moving farm equipment. Many people come to buy Christmas trees or pumpkins that are not familiar with the road and have to back up for others to pass. Mr. Threewitts said if people who attend events are unfamiliar with the narrow gravel roads with ditches and banks, there will be problems coming from Mountain Valley Road and Indian Trail Road.

Mace Hilton lives next to the Wolfe family. His concern is with the road being dangerous, particularly with poultry trucks that travel to three houses. Mr. Hilton noted three parking lots are shown on the map of the property, and said he would like to know the capacity of those lots, as well as the sequence of events and how many will be held a year. Increased traffic with people that do not know where they are going will cause more safety issues. Mr. Hilton admires what the Wolfes are doing to help less fortunate people, but said they have to consider their neighbors as well.

Lisa Jones-Hart said she has been a part of the growth of the ministry and was present in the beginning stages. She and her family have helped the Wolfes and had the joy of seeing children find out about God through signs on the property. Ms. Jones-Hart said the Wolfe family introduces Christ to the community in a non-obtrusive way, as she noted her friend's child asked questions about the signs, and started reading the Bible and getting to know Jesus through a pumpkin patch where love is shown to everyone. She agreed there are obstacles to be overcome, but asked what obstacle Jesus cannot overcome. Ms. Jones-Hart said she believes the roads can be widened and the ditches fixed to put Christ back into the center of communities.

Greg Weaver said his concern is Indian Trail Road, which has hills, blind curves, and is a popular bicycle route. Walkers and joggers are in the road because there are no shoulders. He noted there also is no center line. Mr. Weaver said Flook Lane is a single-lane, gravel road and has a bridge with no guard rails. He expressed concern about a large number of people leaving from three parking lots at the same time in the dark to find their way to Indian Trail Road. Mr. Weaver said he thinks the mission and purpose is great, but it is the wrong location.

Danielle Ropp, who currently lives on Flook Lane, but grew up on Indian Trail Road, indicated she has seen a lot of growth and traffic over the years. She provided the Board with a photo of Flook Lane. Ms. Ropp's family lives on a small portion of a farm and rents out the farm land. She noted the farmer is concerned about the volume of traffic on a narrow road, as he travels on the road pulling large agricultural equipment. Ms. Ropp noted that a FaceBook post

indicated more than 500 women attended the last women's conference held by the Wolfes. She also expressed concern about the times of operation, noise and light pollution. Ms. Ropp said there are currently three underutilized conference centers within six miles of the proposed site that are geared toward ministry events. She indicated those conference centers are established with septic systems, ample roads, and neighbor support.

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At 6:48 p.m., Chairman Cuevas closed the public hearing and asked Ms. Stultz to respond to the questions regarding Every Soul Acres.

Ms. Stultz stated that VDOT has approved the entrance, but she is not sure how closely they looked at the rest of the road. She noted she had not talked with the applicants about their expectations of the number of attendees. Ms. Stultz said if she had an opportunity to meet with the Wolfes, she may be able to bring more information to the Board.

Chairman Cuevas said he would like to know more about attendance numbers, time issues, and parking capacity.

Since the Every Soul Acres special use permit had the most concerns and questions, Chairman Cuevas noted the Board would address it first.

Supervisor Chandler thanked those in attendance. He drove on Flook Lane and had heard from some people regarding the special use permit, but said he received emails and texts late in the day that he would like to review. He stated he would also like more specifics because ministry is a broad term. He would like the type of ministry, number of attendees anticipated and size of the parking lot to be addressed. So everyone has a fair chance to be heard, Supervisor Chandler asked people to let him know which way they are leaning.

Supervisor Chandler made a motion, seconded by Supervisor Kyger, to table SUP17-190, Every Soul Acres, LLC (Bobby and Laura Wolfe), 2411 Flook Lane, Keezletown 22832 for an event center (ministry events) on property located on the east side of Flook Lane (Route 724) approximately 2000' east of Indian Trail Road (Route 717), Election District #3, A-2. Tax Map #96-(A)-77 & Tax Map #96-(A)-78

Chairman Cuevas encouraged the Wolfes to hold a community meeting and discuss the concerns with their neighbors.

Supervisor Breeden noted there was a request for an event center in his district at the July 25, 2018 meeting. He made a comment at that meeting that there are some places where an event venue is not appropriate due to the size of the event center, acreage, or road. He stated if the Board was voting tonight, he would consider this request to be in that category.

Chairman Cuevas asked staff to work with Supervisor Chandler, the Wolfe family and others who have concerns regarding the event venue.

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 SUP17-190, Every Soul Acres, LLC (Bobby and Laura Wolfe), 2411 Flook Lane, Keezletown 22832 for an event center (ministry events) on property located on the east side of Flook Lane (Route 724) approximately 2000' east of Indian Trail Road (Route 717), Election District #3, A-2. Tax Map #96-(A)-77 & Tax Map #96-(A)-78

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Supervisor Kyger indicated the aircraft museum request fits in with the current business, and the airport is zoned for a museum. He said Dynamic Aviation is extending a courtesy to open the airport to the public, particularly those people interested in aviation. Since the museum will have an eclectic collection of antique aircraft, it has great potential for the airport and the County's economic development to become a destination that draws tourists.

Supervisor Kyger said he would like to place hours of operation on the special use permit so the community feels comfortable. He recommended it be open to the public Monday through Saturday from 9:00 a.m. to 5:00 p.m., with public Sunday hours from noon until 5:00 p.m. He also wanted to allow the possibility for private association meetings, such as Chamber of Commerce or Shenandoah Valley Partnership events, after the museum is closed to the public. He stated private functions should be concluded by 10:00 p.m.

Supervisor Kyger said he would move for approval with the additional conditions.

On motion by Supervisor Kyger, seconded by Supervisor Breeden, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board, with the following conditions, approved SUP18-170, North River Investments, LLC 1402 Airport Road for an aircraft museum on property located on the north side of Airport Road (Route 727) approximately 2 miles east of Warm Springs Pike (Route 42), Election District #4, zoned A-2. Tax Map #137-(A)-36. Property address: 1180 Airport Road

**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. Entrance permit shall be obtained from VDOT to upgrade existing entrance to commercial standards. This permit shall be submitted to the Community Development Department prior to issuance of building permits and entrance upgrade shall be completed and approved by VDOT prior to issuance of a certificate of occupancy.
4. The project shall meet all requirements of the Rockingham County Fire Prevention Code.
5. 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.
6. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.
7. There shall be no off-premise signs permitted unless all County and State regulations are met.
8. Parking shall comply with the Rockingham County Code.
9. A portion of the property is located in the floodplain. Floodplain regulations shall be met. 50' wetland and stream setback s shall be met.
10. 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.
11. The museum shall be open to the public from 9 a.m. to 5 p.m. Monday through Saturday and from noon to 5 p.m. on Sunday.
12. The museum shall be available after hours for private groups until 10 p.m.

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With the understanding that the warehouse for poultry bedding and the shop to work on trucks falls in line with the qualifications of land use and the agricultural forestall district as defined, Supervisor Kyger said he would move for approval.

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 SUP18-175, Leonard Showalter, 8972 Payne Hollow Lane, Singers Glen 22850 for a warehouse for poultry bedding and shop to work on truck on property located on the north side of Keller Road (Route 752) approximately 875' west of W. Dry River Road (Route 738), Election District #4, zoned A1-AF4. Tax Map #106-(A)-46B. Tax Map #106-(A)-46B. Property address: 5142 Keller Road

**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. Portion of the property is in the floodplain. Floodplain regulations shall be med. 50' wetland and stream setback much be observed.
4. As this business is not open to the public, there shall be no advertising sign permitted.
5. This business shall meet all requirements of the Rockingham County Fire Code.
6. This repair shop associated with this use shall be only for the applicant to work on his truck used in the poultry bedding business. If applicant later wishes to work on other people's vehicles, a new special use permit shall be required.

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Supervisor Wolfe-Garrison said since a cemetery seems conducive to the uses of a church, she would motion for approval.

On motion by Supervisor Wolfe-Garrison, 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, with the following conditions, approved SUP18-177, Pike Mennonite Church, 31 Pike Church Road, Harrisonburg 22801 for a cemetery on property located on the southwest side of Liskey Road (Route 756) and Pike Church Road (Route 701), Election District #2, Zoned A-2. Tax Map #123-(A)-99A1

**CONDITIONS:**

1. Use shall be located in substantial accordance with plat plan as approved.
2. Access to the cemetery shall be through the existing entrance to the church.
3. Erosion & Sediment Control standards shall be met with regard to disturbed area for the parking lot.
4. All Health Department requirements shall be met with regard to distances to wells on adjoining properties.
5. The cemetery is exempted from the two-year requirement to be put into use.
6. 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 cemetery shall not be used until such time as the site plan is approved.

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**ADJOURNMENT.**

Chairman Cuevas declared the meeting adjourned at 6:58 p.m.

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Chairman