

August 22, 2018

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, August 22, 2018, at 6:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

- PABLO CUEVAS, Election District #1
- SALLIE WOLFE-GARRISON, Election District #2
- 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
- PHILIP S. RHODES, Director of Public Works
- 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

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CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE.

Chairman Cuevas called the meeting to order at 6:00 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 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 August 8, 2018.

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INTRODUCTION OF STUDENTS.

Students from Spotswood and Turner Ashby high schools introduced themselves to the board.

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TRANSPORTATION DEPARTMENT.

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

- The North River Road (Route 867) bridge opened two months ahead of schedule;
- Work on the Ottobine Road (Route 257) Dry River Bridge in Montezuma is moving along well, with an anticipated opening date of October 1, 2018;
- Paving is on-going on Port Republic Road (Route 659) with night paving taking place this week;
- Crews are laying stone on Jacksons Way (Route 955) and preparing for it's opening during the first week of September;
- Landford Brothers Co. Inc. is progressing on the East Point Road/ Maryland Avenue (Route 602) bridge and look to finish in October 2018;
- Improvements to the curve on Friedens Church Road (Route 682) are projected to start in 2020 or 2021;
- Advertisement for the Route 11 bridge project over I-81 (Exit 257) at Mauzy will occur in fall of 2018;
- Advertisement for Lairs Run Road (Route 921) will occur in late 2018. Mr. Komara indicated this project will be beneficial to several trucking and poultry operations in the area;
- Recent maintenance work included grading, mowing, ditching, brush cutting and storm damage work;
- The Interstate 81 Corridor Improvement meeting is August 23, 2018, at Blue Ridge Community College from 4 to 7 p.m.

Regarding the South Valley Pike (Route 11) project and Cecil Wampler Road (Route 704) improvements, Supervisor Kyger suggested staff communicate their desire to keep the old road in use for industrial access to Sysco, with a traffic light at the interchange. Mr. Komara indicated the new bridge will also be prone to flooding, so the old could be used as backup.

There was also discussion regarding the congestion on Interstate 81. In response to Supervisor Kyger, Mr. Komara indicated the congestion is mostly incident driven rather than trucks traveling in the passing lane.

Supervisor Kyger brought attention to two pending improvements on Friedens Church Road (Route 682). He mentioned an area that is creating sight distance issues and asked if it can be incorporated in upcoming projects. He also stated that there should be a discussion regarding the intersection and right of away, since past negotiations with a property owner have been unsuccessful.

Supervisor Chandler pointed out areas on Indian Trail Road (Route 717) and Spotswood Trail (Route 33) where there are large potholes. He also asked if an area in front of the cemetery across from Massanetta Springs Road (Route 687) could be mowed before the Fields of Gold benefit on Friday evening.

In response to questions from Supervisor Breeden, Mr. Komara indicated Power Dam Road (Route 651) is scheduled for improvements next summer and he will check to see when Resort Drive (Route 644) is scheduled for overlay.

Supervisor Wolfe-Garrison inquired about a time frame for the Route 33 West project. Mr. Komara estimated the project will take two construction seasons. She also asked if the drainage issue on Grace Chapel Road (Route 853) in front of Wal-Mart was resolved. Mr. Komara indicated he would check into the issue. Supervisor Wolfe-Garrison mentioned there are rocks on the shoulder of Swope Road (Route 736) from the recent rain.

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IMMIGRATION PRESENTATION.

Andy Sale, retired Presbyterian Minister and resident of Sunnyside, spoke on behalf of individuals living in the Shenandoah Valley under the Temporary Protected Status (TPS) designation and Deferred Action for Childhood Arrivals (DACA) policy. He explained the TPS status, stating that it is a temporary protective status given to eligible nationals of designated countries that are present in the United States. The status allows persons to work and live in the United States for a limited time. Currently, about 320,000 persons from ten countries reside in

the U.S under TPS, with 2,000 living in the Valley. Mr. Sale pointed out that in January of 2018, the Federal Government announced that Temporary Protected Status for Salvadorians will be discontinued.

Mr. Sale described how discontinuing TPS could affect local families, by potentially dividing them in coming years. He went on to explain how this is also an economic issue for the local poultry industry, which would be crippled by the loss of its many TPS employees. Mr. Sale indicated that the Virginia Poultry Federation is lobbying against the deportation of those residents living here under the protected status. Mr. Sale previously provided the Board with a resolution in support of TPS holders and DACA recipients in the County and asked for the Boards support in urging Congress to adopt legislation addressing the legal status of the TPS and DACA recipients.

Following Mr. Sale's presentation, several local TPS/DACA recipients provided a brief background about themselves and their families and expressed their appreciation to the Board for its support.

Discussion ensued and Chairman Cuevas reminded the Board that he was an immigrant, coming to Rockingham County just before Fidel Castro seized power in Cuba in 1959. He said he came here as a young man, with practically no money and not knowing if he would ever see his family again. He stated that he knows what it is like to live in a new country. Chairman Cuevas pointed out that the Board of Supervisors has no power to impact immigration policy. He urged the speaker and those with him to encourage immigrants to get involved in the community through civic organizations and opening their homes to let people see who they are and to gain support. He also urged the immigrants present to help other immigrants get established, and to avoid seeking, and becoming dependent upon, government assistance. The Chairman identified both Republicans and Democrats in Congress as failing to address the problems with immigration laws. They need to come up with sensible, long term solutions, not poorly contrived quick fixes, he said. Chairman Cuevas indicated his frustration with efforts like the one undertaken at this Supervisors' meeting to simply create what he called a "publicity thing", pointing out that TV3 rarely covers Board meetings but was present tonight because the organizers of the immigrant group invited them. He pointed out, that rather than coming to a meeting of a local governing body, a body that can do nothing about the issue, advocates should be in the halls of Congress, in the offices of both Democrats and Republicans.

Mr. Sale thanked Chairman Cuevas for his life experiences and stated how important his personal experiences are to others, as they are traveling the same road that he once traveled.

Supervisor Kyger pointed out that he and Chairman Cuevas previously addressed DACA issues with Congress and received very little reception. Supervisor Kyger expressed his willingness to help individuals where he can, but pointed out that local government is the "small guy on the totem pole".

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COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Administrator King's staff report dated August 16, 2018.

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ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's Economic Development and Community Development staff reports dated August 22, 2018.

Mr. Armstrong brought attention to a recent announcement from Governor Ralph Northam regarding a \$41.6 investment in the County that will bring 88 jobs to Interchange Cold Storage LLC. Mr. Armstrong indicated Interchange will provide cold storage warehousing and added services to the regions food, beverage and agricultural groups.

Mr. Armstrong also announced that the Stormwater Committee will meet Tuesday August 28, 2018, at 3 p.m.

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FINANCE DIRECTOR'S STAFF REPORT.

Mrs. Davidson stated that her department is working on the final audit and pointed out that there is a lot of hard work that goes into it.

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Rhodes' staff report dated August 22, 2018.

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COMMITTEE REPORTS.

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

CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION (CSPDC)

Mr. Armstrong stated that the CSPDC held their annual meeting on Monday night and indicated that Planning Director Bradford Dyjak attended the meeting.

COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)

Supervisor Kyger stated there will be a public meeting on October 15, 2018, at James Madison University's Memorial Hall at 7 p.m. He invited Board and City Council members to attend.

HARRISONBURG-ROCKINGHAM METROPOLITAN PLANNING ORGANIZATION (MPO)

Supervisor Chandler reported the committee met last week to review updated reports. He reminded staff about the Interstate 81 Corridor Improvement meeting on August 23, 2018, at Blue Ridge Community College.

VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Supervisor Kyger noted that at the recent VACo Summit, he was happy to hear discussion from one state officer regarding the importance of improvements to Interstate 81.

Upon Supervisor Kyger's request, the Board authorized County Administrator King to draft a resolution in support of the Amazon HQ2 project in Northern Virginia. Supervisor Kyger pointed out that Amazon is looking at 20 locations on the east coast to locate its second headquarters, a \$50 billion dollar plus investment, which would benefit Virginia in many ways.

CHAIRMAN

Chairman Cuevas apologized to Board members, staff members and the public, if he came across in an offensive way while voicing his opinion on immigration issues. He said immigration is a personal issue, but it is an issue that was created nationally and should be resolved nationally.

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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 7:05 p.m. to 8:04 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; 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 KYGER RESOLUTION NO: 18-17
SECOND: SUPERVISOR CHANDLER MEETING DATE: AUGUST 22, 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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ADJOURNMENT.

Chairman Cuevas declared the meeting adjourned at 7:05 p.m.

Chairman