

January 11, 2023

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, January 11, 2023, at 3:00 p.m., at the Rockingham County Administration Center, Harrisonburg, Virginia.

The following members were present:

- DEWEY L. RITCHIE, Election District #1
- SALLIE WOLFE-GARRISON, Election District #2
- RICK L. CHANDLER, Election District #3
- WILLIAM B. KYGER, JR., Election District #4
- MICHAEL A. BREEDEN, Election District #5

Also present:

- BRYAN F. HUTCHESON, Sheriff
- CELEST D. WILLIAMS, Director of Social Services

- STEPHEN G. KING, County Administrator
- THOMAS H. MILLER, JR., County Attorney
- CASEY B. ARMSTRONG, Assistant County Administrator for Economic Development
- PATRICIA D. DAVIDSON, Assistant County Administrator for Finance & Operations
- RHONDA H. COOPER, Director of Community Development
- KIRBY W. DEAN, Director of Parks & Recreation
- JEREMY C. HOLLOWAY, Fire & Rescue Chief
- ROSS C. MORLAND, Director of Engineering
- TERRI M. PERRY, Director of Technology
- PHILIP S. RHODES, Director of Public Works
- ANN MARIE RITCHIE, Director of Court Services
- MICHAEL L. BOWEN, Deputy Director of Technology
- DUSTIN T. RODERICK, Deputy Director of Finance
- RACHEL A. SALATIN, Deputy Director of Community Development
- KELLY S. GETZ, Zoning Administrator
- JOSHUA J. GOODEN, Economic Development & Tourism Coordinator
- DYLAN L. NICELY, Land-Use Planner
- PAM M. SOUTHERLY, Software & Records Analyst
- MOLLY S. BARNETT, 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
PLEDGE OF ALLEGIANCE
INVOCATION.

Administrator King called the meeting to order at 3:00 p.m.

Supervisor Kyger provided the invocation, and Public Works Director Rhodes led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

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; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board amended and

approved the minutes of the regular meeting of November 16, 2022, to include the joint meeting with the Massanutten Water and Sewer Authority.

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REORGANIZATION OF THE BOARD FOR 2023.

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; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board elected Dewey L. Ritchie as Chair for 2023.

Chairman Ritchie expressed gratitude to outgoing Chair Wolfe-Garrison for her service and support to Rockingham County.

On motion by Supervisor Chandler, seconded by Supervisor Breeden, and carried by a roll call vote of 4 to 1, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – ABSTAIN; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board elected William B. Kyger, Jr. as Vice-Chair for 2023.

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SETTING OF DAY AND TIME OF REGULAR MEETINGS.

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; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board adopted the meeting schedule for 2023.

Chairman Ritchie indicated that during 2023, the Board will meet on the second Wednesday of each month at 3:00 p.m., and the fourth Wednesday of each month at 6:00 p.m., with the exception of one meeting in November and December, on November 15, 2023, at 3:00 p.m. and December 13, 2023, at 3:00 p.m.

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APPROVAL OF MINUTES.

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; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved the minutes of the regular meeting of December 14, 2022.

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RESOLUTION – VIRGINIA LITERARY FUND.

Supervisor Wolfe-Garrison stated on behalf of the Finance Committee, she recommended approving the resolution as presented to apply for a loan of \$14 million from the Literary Fund.

Chairman Ritchie explained the funds would be used for the addition of classrooms and restrooms at Broadway High School. Supervisor Kyger added that the Virginia Literary Fund is a mechanism set up by the General Assembly for local governments to borrow money for school construction and capital projects.

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

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF ROCKINGHAM COUNTY, VIRGINIA
APPROVING A LOAN APPLICATION TO THE VIRGINIA LITERARY FUND**

WHEREAS, the School Board of Rockingham County, Virginia (the “School Board”) presented to this Board on January 11, 2023 an application addressed to the Virginia Board of Education for the purpose of borrowing \$14,000,000 from the Literary Fund for the purpose set out in said application related to Broadway High School for the construction of an addition to Broadway High School to include additional classrooms, and a bathroom facility on School Board property near School Board owned athletic fields (the “Project”), to be paid in 20 annual installments, and the interest thereon at 3 percent paid annually (the “Loan”).

WHEREAS, pursuant to the requirements of the Code of Virginia, the School Board adopted a resolution on January 9, 2023 requesting this Board to approve by resolution the School Board’s application to the Literary Fund for the Loan and to take all such actions required by law regulating loans from the Literary Fund.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA AS FOLLOWS:

1. The application of the School Board to the Virginia Board of Education for a loan of \$14,000,000 from the Literary Fund is hereby approved, and authority is hereby granted to the School Board to borrow \$14,000,000 for the purpose set out in said application.

2. The Board of Supervisors will each year during the life of this loan, at the time they fix the regular levies, fix a rate of levy for schools or make a cash appropriation sufficient for operation expenses and to pay this loan in annual installments and the interest thereon, as required by law regulating loans from the Literary Fund.

3. The Board agrees to take all such actions required by law regulating loans from the Literary Fund.

4. To the extent as may be necessary, the Board hereby declares its intent to use a portion of the proceeds of the Loan to reimburse certain capital expenditures in connection with the Project. The Board has paid or will cause to be paid, beginning no earlier than 60 days prior to adoption hereof, and/or expects to pay or cause to be paid, on and after the date hereof, certain capital expenditures (the “Expenditures”) in connection with the Project. Accordingly, the Board hereby declares its intent to reimburse itself, with all or any portion of the proceeds thereof for the Expenditures with respect to the Project made no earlier than 60 days prior to the adoption of this Resolution. The maximum aggregate principal amount of obligations issued in connection with the Project is reasonably anticipated not to exceed \$14,000,000. This declaration of intent to reimburse shall take effect immediately.

5. The Board authorizes and directs the Chair of the Board, the County Administrator, or either of them, and such officers and agents of the Board as either of them may designate, to take such action as may be necessary or desirable in connection with such application and Loan, and all such action previously taken is ratified and confirmed.

6. This resolution shall take effect immediately.

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REVIEW OF 2023 CHAIRMAN’S COMMITTEE APPOINTMENTS.

**BOARD OF SUPERVISORS
2023 Chair's Committee Appointments**

BOARD COMMITTEES:

BUILDINGS AND GROUNDS
Rick Chandler
Sallie Wolfe-Garrison

FINANCE
Sallie Wolfe-Garrison
Dewey Ritchie

PUBLIC WORKS

Michael Breeden
William Kyger

PERSONNEL COMMITTEE

Dewey Ritchie
William Kyger

OTHER COMMITTEES:

TECHNOLOGY COMMITTEE

Rick Chandler
William Kyger

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RECESS.

At 3:16 p.m., Chairman Ritchie declared the regular meeting recessed for reorganizational meetings of the Countryside Sanitary District, the Lake Shenandoah Stormwater Control Authority, the Lilly Subdivision Sanitary District, the Massanutten Water and Sewer Authority, the Penn Laird Sewer Authority, and the Smith Creek Water and Waste Authority.

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RESUME MEETING.

At 3:27 p.m., Chairman Ritchie called the regular meeting back to order.

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RECOGNITION OF HIGH SCHOOL STUDENT.

A student from Spotswood High School introduced herself to the Board.

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UPDATE – SOCIAL SERVICES ADVISORY BOARD.

Celest Williams, Director of Harrisonburg-Rockingham Social Services, provided an update on the Social Services Advisory Board.

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UPDATE – ROCKINGHAM COUNTY WEBSITE.

Director of Technology Terri Perry reviewed the updated County website and detailed changes to the user interface. Josh Gooden, Economic Development & Tourism Coordinator, presented the new County tourism website.

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REPORT – VIRGINIA DEPARTMENT OF TRANSPORTATION.

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

Supervisor Chandler noted that rumble strips on Boyers Road (Route 704) are starting to degrade. He also said on Cross Keys Road (Route 276), spacing between the changing speed limit signs may need to be addressed, to allow motorists adequate distance for slowing.

Supervisor Kyger mentioned investigating a way to connect Cecil Wampler Road (Route 704) and Oakwood Drive (Route 704) with one intersection, instead of two adjacent intersections.

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COUNTY ADMINISTRATOR.

Administrator King introduced Paula Greenhagen, who will begin employment with the County on January 23rd, 2023, as Director of Human Resources.

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COUNTY ATTORNEY.

Mr. Miller presented a resolution regarding solar siting agreements. He stated it has been the Board's position in the past to not enter into siting agreements.

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; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board adopted the following resolution:

**RESOLUTION CONCERNING
SOLAR SITING AGREEMENTS**

Whereas the Virginia State Code permits local governments to enter into siting agreements with businesses and investors who desire to develop large scale solar projects in Rockingham County, and;

Whereas, negotiation and adoption of such siting agreements may be, and in fact are encouraged to be, entered into prior to the County's consideration of the land use request, and;

Whereas, negotiation and adoption of such siting agreements may be, and in fact are anticipated to be, prior to public hearings on the land use request, and;

Whereas, by Virginia Code, terms and conditions permissible in a siting agreement include items such as, but not limited to, “. . . (ii) financial compensation to the [County] to address capital needs set out in the (a) capital improvement plan adopted by the [County], (b) current fiscal budget of the [County], or (c) fiscal fund balance policy adopted by the [County]; or (iii) assistance by the applicant in the deployment of broadband . . .”, and;

Whereas, it is the view of the Board of Supervisors of Rockingham County that entering into such an agreement, and even commencing discussions about such an agreement, prior to completion of the openly and publicly debated legislative process of determining whether the land use is appropriate for the County as proposed, inappropriately biases the legislative process, and;

Whereas, as described in the Virginia Code, siting agreements may supersede the County Zoning Ordinance, effectively amending the Ordinance by private negotiation, and for the benefit of a single landowner, rather than by the statutorily mandated open and public legislative process, and;

Whereas, it is the view of the Board of Supervisors that the negotiation of, and possible terms and conditions of, siting agreements violates wise principles and precepts of land use law long established and practiced in the Commonwealth, and, in fact, required by statute in all contexts other than solar projects, and;

Whereas, Virginia Code can be understood to require solar project developers to meet with County representatives to negotiate a siting agreement prior to submission of, presentation of, consideration of, and proper legislative decision on, a solar project;

It is hereby RESOLVED that,

Developers of solar projects are deemed to have fulfilled any statutory requirement they may have to meet with and negotiate a siting agreement prior to due legislative consideration by the Board of Supervisors of the proposed land use, and that;

The result of that negotiation is that there will be no siting agreement prior to the completion of the legislative process.

County staff are instructed to give this Resolution the widest possible distribution to developers, members of the Rockingham County community, and other parties of interest.

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ASSISTANT COUNTY ADMINISTRATOR FOR FINANCE AND OPERATIONS.

Ms. Davidson introduced Dustin Roderick, Deputy Director of Finance. Mr. Roderick began employment on December 27, 2022.

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COMMUNITY DEVELOPMENT DIRECTOR’S STAFF REPORT.

Zoning Administrator Getz stated several years ago, a manufactured home was placed on a property in the County with all required permits. The family moved in and subsequently, multiple significant additions were built without permits. After receiving complaints, County staff visited the property and found the structure had major electrical and building code violations, said Mr. Getz. Property owners were then notified they were in violation of the building code and zoning ordinance.

Mr. Getz elaborated that the County Attorney’s office turned the violation over to the Rockingham Circuit Court, which ordered the property owners to comply with code or remove unpermitted structures by October 16, 2022. Mr. Getz stated the violation had not been corrected as of January 10, 2023, and requested the Board’s approval to proceed with removing the unpermitted structures. In addition to the demolition work, the County may also need to provide accommodations for the family until the structure can be brought into compliance, said Mr. Getz.

Building Official Shifflett stated in addition to providing temporary housing to the family while the dwelling is being restored, the children will remain in the same school district. Mr. Shifflett noted the unique urgency of the situation and indicated safety was the first priority.

Mr. Getz clarified that if the property owners do not pay the cost, it will become a tax lien on the property.

Chairman Ritchie thanked Mr. Getz and Mr. Shifflett, and conveyed the Board’s support.

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RECESS.

Chairman Ritchie recessed the meeting for dinner at 4:52 p.m.

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PUBLIC HEARINGS.

REZ22-2122 LINDSEY SEVERT

At 6:00 p.m., Chairman Ritchie resumed the regular meeting and Land-Use Planner Nicely reviewed the following request:

REZ22-2122 Lindsey Severt, 21575 Forest Homes Drive, Elkton, VA. This is a request to rezone 14.488 acres from RR-1 (Residential or Recreational) to A-2 (General Agricultural). The property is located on Forest Hills Road, approximately 0.22 mile east of the end of Hensley Hollow Road (Route 622). Tax Map # 132-(3)-L27 & #132-(3)- L28. Election District 5.

The applicant was not present.

Chairman Ritchie opened the public hearing at 6:05 p.m.

Carter Miller appeared in opposition. Mr. Miller expressed concerns about emergency services accessing the site, lack of water infrastructure in case of fire, and erosion of the private road in Hensley Hollow.

Freddy Hammer stated the area was intended for private housing, not campers. Mr. Hammer feared the yurt campground would lower his property value.

Heidi and Charles Rothgeb appeared together in opposition. Ms. Rothgeb explained that in one instance, they found a stranger camping on their property. She shared further concern regarding campground guests trespassing.

Susan Shifflett, Ardebella Fox, and Lelan Siler each spoke in opposition, echoing concerns of noise, road erosion, littering, trespassing, and private community preservation.

Chairman Ritchie closed the public hearing at 6:19 p.m.

On motion by Supervisor Breeden, seconded by Supervisor Wolfe-Garrison, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board denied REZ22-2122 Lindsey Severt, 21575 Forest Homes Drive, Elkton, VA, request to rezone 14.488 acres from RR-1 (Residential or Recreational) to A-2 (General Agricultural).

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REZ22-2200 PATRICIA A. SELLERS

Mr. Nicely reviewed the following request:

REZ22-2200 Patricia A. Sellers, 12941 Indian Trail Road, Broadway, VA, request to rezone 7 acres from B-1 (General Business) to A-2 (General Agricultural). The property is located on the south side of North Valley Pike (Route 11) at the I-81 Interchange #257, fronting along the northbound interstate exit ramp. Portion of Tax Map #67-(A)- L69. Election District 1.

Applicant Patricia Sellers stated she believed the current B-1 zoning is out of character in Mauzy. She pointed out the Mauzy interchange is the only one in the County without infrastructure to support development.

At 6:25 p.m., Chairman Ritchie opened the public hearing.

Barbara Melby appeared in favor and said she supported Ms. Sellers' commitment to maintain the rural character of Mauzy. She stated the Comprehensive Plan encourages agriculture in Rockingham County.

Watt Bradshaw appeared in favor. Mr. Bradshaw explained due to karst geology, the subject parcel should not be used for business development and must be rezoned for preservation.

Chairman Ritchie closed the public hearing at 6:32 p.m.

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; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved REZ22-2200 Patricia A. Sellers, 12941 Indian Trail Road, Broadway, VA, request to rezone 7 acres from B-1 (General Business) to A-2 (General Agricultural). The property is located on the south side of North Valley Pike (Route 11) at the I-81 Interchange #257, fronting along the northbound interstate exit ramp.

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SUP22-2334 NECTAR SOLAR, LLC

Zoning Administrator Getz reviewed the following request:

SUP22-2334 Nectar Solar, LLC, 321 East Main Street, Charlottesville, VA 22902, for a large solar energy facility located on the west side of Honeysuckle Road (Route 980) approximately 180 feet south of Rockingham Pike (Route 981). Zoned A-1 (Prime Agricultural). Tax Map #129-(A)- L172B. Election District 5.

Mr. Getz stated the applicant is proposing a 19-acre solar facility on property that is currently wooded. The applicant has proposed 14 conditions, including retaining much of the wooded buffer for screening. He noted within the conditions, the applicant proposed including a payment of \$1,400 per megawatt per year to the County.

Ally Kranz of Hexagon Energy appeared on behalf of the applicant. She stated the application was submitted in November 2021, and landowner Jeff Miller did not begin logging until fall of 2022. Ms. Kranz said it was their understanding of the ordinance that no logging could be done for five years prior to application submittal.

County Attorney Miller clarified that the intention of the tree cover requirement in the ordinance was so that the property would not be clear cut for the purpose of installing solar panels.

Ms. Kranz said the landowner is cutting select trees as a source of personal income, and will continue regardless of the solar project.

After holding community meetings, Ms. Kranz indicated the two main concerns were stormwater runoff and viewshed. She said stormwater control would be addressed according to standards of the Department of Environmental Quality (DEQ). Ms. Kranz said that regarding viewshed, mature vegetation would remain on sides of the parcel that border residences. Additionally, evergreens would be planted along the fence line to mitigate the increased visibility during wintertime, she said.

Ms. Kranz read a letter from landowner Mr. Miller, who was unable to attend. Mr. Miller's letter asked for the Board's approval of his request, as he believed it to be the best and most productive use of the land.

Supervisor Wolfe-Garrison inquired about viewshed from the Blue Ridge Parkway. Ms. Kranz responded she could do an analysis, but currently had no data.

Chairman Ritchie opened the public hearing at 6:58 p.m.

Skyler Zunk, CEO of Energy Right, appeared in favor. He stated Energy Right is a non-profit founded to bring a conservative voice to all clean energy conversations across Virginia. Mr. Zunk said after attending a community meeting, he is in support of Nectar Solar.

Watt Bradshaw appeared in favor. He felt the Nectar Solar project is a legitimate, environmentally responsible use of land. Mr. Bradshaw spoke of the global climate crisis and indicated the time is now to implement renewable energy sources in our community.

Jessica Beasley appeared in opposition. She stated she resides directly beside the proposed project. Ms. Beasley shared concerns of runoff into her yard, and destruction of natural animal habitats from logging. Solar panels will eventually end up in landfills and create environmental hazards from their components, she said. Ms. Beasley further stated there is a negative relationship between solar farms and property values.

Tim Hensley appeared in opposition. Mr. Hensley stated he understood the need for clean energy, but felt that cutting trees to accommodate a solar farm was not right. He suggested that solar panels belong on top of industrial buildings.

Speaking in opposition, Randy Seal said he is the largest adjoining landowner, and his biggest concern is stormwater runoff.

At 7:11 p.m., Chairman Ritchie closed the public hearing.

Supervisor Breeden remarked that landowner Mr. Miller has a right to cut timber on his property and will do it whether or not the solar project is approved. Supervisor Breeden also stated he would like the benefit of another site visit.

On motion by Supervisor Breeden, seconded by Supervisor Wolfe-Garrison, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board tabled SUP22-2334 Nectar Solar, LLC, 321 East Main Street, Charlottesville, VA 22902, a large solar energy facility located on the west side of Honeysuckle Road (Route 980) approximately 180 feet south of Rockingham Pike (Route 981).

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SUP22-2440 AUGGIE & VICTOR CARDOSA

Mr. Getz reviewed the following request:

SUP22-2440 Auggie & Victor Cardosa, 48 Gravels Road, Rockingham, VA 22802, for a small contractor's operation located on the north side of Gravels Road (Route 765), approximately 400 feet west of North Valley Pike (Route 11). Zoned A-2 (General Agricultural). Tax Map #95-(A)- L39. Election District 2.

Applicant Auggie Cardosa explained that property owner Duke Cantrell had given permission to dump fill dirt on his property. Mr. Cardosa stated that other neighboring property owners do not support the arrangement, and have concerns about views of the equipment and fill dirt. He indicated he is willing to provide buffers of some sort to obscure the view.

At 7:31 p.m., Chairman Ritchie opened the public hearing.

Melanie Miller appeared in opposition, stating her parents are neighboring property owners, and this type of operation in a residential area is inappropriate. She explained the amount of fill dirt has now caused the subject site to be a higher elevation than her parents' property, creating issues with runoff into their yard. Ms. Miller shared other concerns around property devaluation.

Monica Newcomer Miller appeared in opposition. She noted Dry Fork Creek is on an adjacent property and questioned the environmental effects of dumping fill materials in the area. Ms. Miller stated the appearance of the property has changed greatly over time due to the amount of fill dirt.

Mary and Ben Newcomer, adjoining property owners, appeared in opposition. Mrs. Newcomer indicated her family had always had good relations with the applicant until this issue. She said while viewshed concerns can be mitigated with vegetation, her main concern is the runoff into her yard. Mr. Newcomer elaborated on the undesirable tension between neighbors and felt the business would be better suited elsewhere.

Alec Miller and Barry Miller each spoke in opposition, echoing previously stated concerns.

Duke Cantrell, owner of the property containing the fill dirt area, stated his intention was not to create environmental problems. He felt he tried to compromise with the Newcomers, but all involved parties have been unable to find a resolution.

At 8:02 p.m., Chairman Ritchie closed the public hearing.

Supervisor Wolfe-Garrison stated this issue is a result of a business operating in a non-compliant way. She continued that while there are environmental and visual impacts, some of the concerns brought forth during the public hearing are communication and neighbor issues.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Kyger, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board tabled SUP22-2440 Auggie & Victor Cardosa, 48 Gravels Road, Rockingham, VA 22802, for a small contractor’s operation located on the north side of Gravels Road (Route 765), approximately 400 feet west of North Valley Pike (Route 11).

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SUP22-2821 HANS LEHMAN

Mr. Getz reviewed the following request:

SUP22-2281 Hans Lehman, 884 Cottontail Trail, Mount Crawford, VA 22841, for a sawmill (expansion of existing pallet business) located on the south side of Cottontail Trail (Route 705), the west side of Pleasants Drive. (Route 898). Zoned A-2 (General Agricultural). Tax Map #124F-(A)- L56. Election District 4.

In response to a question from Chairman Ritchie, applicant Hans Lehman stated it would be a circle sawmill for the purpose of sawing logs for his pallet business. The sawmill would be completely enclosed in an arch-style building, he said.

County Attorney Miller asked Mr. Lehman if a restriction limitation could be included on the permit that lumber is milled only for his own purposes, not resale or wholesale. Mr. Lehman affirmed.

At 8:12 p.m. Chairman Ritchie opened the public hearing. No comments were received, and Chairman Ritchie closed the public hearing at 8:12 p.m.

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; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved SUP22-2281 Hans Lehman, 884 Cottontail Trail, Mount Crawford, VA 22841, for a sawmill (expansion of existing pallet business) located on the south side of Cottontail Trail (Route 705), the west side of Pleasants Drive. (Route 898).

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RECESS.

Chairman Ritchie recessed the meeting at 8:13 p.m. for a short break.

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RECONVENE FOR A JOINT MEETING WITH THE MASSANUTTEN WATER AND SEWER AUTHORITY.

At 8:17 p.m., Chairman Ritchie reconvened the meeting for a joint meeting with the Massanutten Water and Sewer Authority.

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JOINT CLOSED MEETING – ROCKINGHAM COUNTY BOARD OF SUPERVISORS & MASSANUTTEN WATER AND SEWER AUTHORITY.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Chandler, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board recessed the meeting from 8:19 p.m. to 9:16 p.m., for a closed meeting pursuant to Section 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 Section 2.2-3711.A(7), Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

MOTION: SUPERVISOR WOLFE-GARRISON RESOLUTION NO: 23-01
SECOND: SUPERVISOR KYGER MEETING DATE: January 11, 2023

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, KYGER, RITCHIE, WOLFE-GARRISON
NAYS: NONE
ABSENT:

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ADJOURN.

Chairman Ritchie declared the meeting adjourned at 9:17 p.m.

Chairman