

January 12, 2022

The Reorganizational Meeting of the Rockingham County Board of Supervisors was held on Wednesday, January 12, 2022, 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:

- J. DANIEL CULLERS, Commissioner of the Revenue
- BRYAN F. HUTCHESON, Sheriff

- STEPHEN G. KING, County Administrator
- THOMAS H. MILLER, JR., County Attorney
- CASEY B. ARMSTRONG, Assistant County Administrator
- RHONDA H. COOPER, Director of Community Development
- PATRICIA D. DAVIDSON, Director of Finance
- KIRBY W. DEAN, Director of Parks & Recreation
- ANN MARIE RITCHIE, Director of Court Services
- JEREMY C. HOLLOWAY, Fire & Rescue Chief
- JENNIFER J. MONGOLD, Director of Human Resources
- PHILIP S. RHODES, Director of Public Works
- KELLY S. GETZ, Zoning Administrator
- DONNA L. JENKINS, Deed and Subdivision Review
- RACHEL A. SALATIN, Director of Planning
- KAYLA R. YANKEY, Land-Use Planner
- TAMELA S. GRAY, Deputy Clerk
- DONALD F. KOMARA, Residency Administrator
- Virginia Department of Transportation

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CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE.

Administrator King called the meeting to order at 3:02 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 Chandler, seconded by Supervisor Kyger, and carried by a 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 December 8, 2021 meeting.

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2022 REORGANIZATION OF THE BOARD.

ELECTION OF CHAIR AND VICE CHAIR.

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; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board elected Sallie Wolfe-Garrison as Chair for 2022.

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; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board elected Dewey L. Ritchie as Vice-Chair for 2022.

Administrator King turned the meeting over to Chair Wolfe-Garrison.

Chair Wolfe-Garrison thanked Supervisor Chandler for serving as the Board Chair during 2021. She expressed appreciation for his dedication and contributions to the County.

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INTRODUCTION OF ASSISTANT COUNTY ATTORNEY.

County Attorney Miller introduced Assistant County Attorney Victoria Shea, who started working in the County Attorney’s office at the end of December. He noted Mrs. Shea began her new position with full enthusiasm and ability.

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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 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 and inclement weather policy for 2022.

Chair Wolfe-Garrison indicated that during 2022, 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 16, 2022, at 3:00 p.m. and December 14, 2022, at 3:00 p.m.

Administrator King noted that depending on the workload and scheduling of rezoning requests and special use permits, there have been instances when the Board conducted one meeting in July. Administrator King noted that if that opportunity presents itself, citizens will be provided advance notification through local media and the County website.

If a meeting cannot be held due to inclement weather or for any reason as determined by the Chair, or the Vice-Chair if the Chair is not available, the meeting will be held at the scheduled time on the following Wednesday, unless otherwise determined by the Board.

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REVIEW OF COMMITTEE ASSIGNMENTS.

Chair Wolfe-Garrison said supervisors have rotated by district to serve on county-based committees. She will delay making designations on community-based committees until a later time.

The following 2022 County-based committee appointments:

**BOARD OF SUPERVISORS
2022 Chair's Committee Appointments**

BOARD COMMITTEES:

BUILDINGS AND GROUNDS

William Kyger
Rick Chandler

FINANCE

Rick Chandler
Sallie Wolfe-Garrison

PUBLIC WORKS

Dewey Ritchie
Michael Breeden

PERSONNEL COMMITTEE

Sallie Wolfe-Garrison
Dewey Ritchie

LIAISON COMMITTEES:

CITY-COUNTY LIAISON

Dewey Ritchie
Rick Chandler

**AUGUSTA/ROCKINGHAM
LIAISON COMMITTEE**

Rick Chandler
William Kyger

SCHOOL BOARD LIAISON

Sallie Wolfe-Garrison
Dewey Ritchie

TOWNS/COUNTY LIAISON

Sallie Wolfe-Garrison
Town's Board Member

JMU LIAISON

Sallie Wolfe-Garrison
William Kyger

SENTARA-RMH LIAISON

Rick Chandler
William Kyger

OTHER COMMITTEES:

SOCIAL SERVICES ADVISORY BOARD

Michael Breeden

TECHNOLOGY COMMITTEE

Michael Breeden
William Kyger

**COMMUNITY CRIMINAL
JUSTICE BOARD**

Rick Chandler
County Administrator

RELATED LANDS (Federal)

Michael Breeden
Rhonda Cooper

VACO BOARD

William Kyger

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RECESS.

At 3:11 p.m., Chair Wolfe-Garrison declared the regular meeting recessed for a meeting of the Countryside Sanitary District.

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RECESS.

At 3:12 p.m., Chair Wolfe-Garrison declared the regular meeting recessed for a meeting of the Lake Shenandoah Stormwater Control Authority.

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RECESS.

At 3:17 p.m., Chair Wolfe-Garrison declared the regular meeting recessed for a meeting of the Lilly Subdivision Sanitary District.

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RECESS.

At 3:18 p.m., Chair Wolfe-Garrison declared the regular meeting recessed for a meeting of the Massanutten Water and Sewer Authority.

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RECESS.

At 3:21 p.m., Chair Wolfe-Garrison declared the regular meeting recessed for a meeting of the Penn Laird Sewer Authority.

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RECESS.

At 3:23 p.m., Chair Wolfe-Garrison declared the regular meeting recessed for a meeting of the Smith Creek Water and Waste Authority.

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RESUME MEETING.

At 3:24 p.m., Chair Wolfe-Garrison called the regular meeting back to order.

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REFUND OF OVERPAYMENT OF TAXES.

Commissioner of the Revenue Cullers reviewed a refund request from Cellco Partnership for overpayment of public service corporation real estate taxes paid in 2021. He noted the State Corporation Commission (SCC) provides real estate values to commissioners in September, so real estate bills mailed to citizens in May are based on the prior year’s values. When the Commissioner receives the actual value from the SCC, adjustments are made. In this particular case, the company is due a refund, Commissioner Cullers said.

On motion by Supervisor Ritchie, 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 directed the Treasurer to issue a tax refund of \$8,653.36 to Cellco Partnership for overpayment of public service corporation real estate taxes in tax year 2021.

Chair Wolfe-Garrison asked Commissioner Cullers to explain how a change in real estate tax assessments can influence whether an individual receives tax relief. Mr. Cullers indicated the majority of citizens in the elderly and disabled program own a house and one acre of land, or less. He noted a one-acre homesite and the surrounding land are not considered part of the assets. Since the increase in land value was small, Mr. Cullers does not anticipate much affect for elderly and disabled citizens.

Supervisor Kyger questioned what can be done for citizens who currently qualify for the elderly and disabled program if the increased value of their home eliminates them from qualifying for tax relief.

Commissioner Cullers indicated it is unlikely that an increase in a citizen’s real estate assessment will be part of the asset consideration. However, if someone thinks an elderly and disabled individual is close to the asset line, he suggested they be encouraged to obtain an application in the Commissioner’s office.

Commissioner Cullers also noted citizens can go before the Board of Equalization.

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INTRODUCTION OF *DAILY NEWS-RECORD* REPORTER.

Daily News-Record (DNR) Reporter Kellen Stepler introduced himself to the Board. Mr. Stepler indicated he is from Chambersburg, Pennsylvania and this is his first week at the DNR.

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TRANSPORTATION DEPARTMENT.

Department, including updates to bridge, road, and rural rustic projects.

Mr. Komara informed Supervisor Chandler that the 45-mile per hour speed limit sign on Port Republic Road (Route 253) was moved east of the Spaders Church Road (Route 689) and Shen Lake Drive (Route 689) intersection.

Mr. Komara reported a meeting was held regarding the intersection of Island Ford Road (Route 649) and East Side Highway (Route 340). After a study is conducted, VDOT will discuss funding options for the intersection, Mr. Komara said.

Mr. Komara announced that a meeting regarding Spotswood Trail (Route 33) will be held at Spotswood High School on February 3, 2022 from 5-7 p.m.

Maintenance items included boom axing, cutting trees, picking up trash, and snow removal.

Supervisor Kyger requested that VDOT post speed alerts on Oakwood Drive (Route 704). He stated a large amount of traffic, including industrial traffic, utilizes John Wayland Highway (Route 42), Warm Springs Pike (Route 42) and Dinkel Avenue (Route 257) to travel through Bridgewater. He suggested Dinkel Avenue (Route 257) be widened and improved, and improvements also be made on Oakwood Drive. Supervisor Kyger indicated the Don Litten Park project needs to move forward to create a bypass around Bridgewater.

Supervisor Kyger asked that traffic counts be obtained for cars and trucks traveling on Route 42 and Dinkel Avenue to collect data on the movement of freight in, out, and around Bridgewater.

Supervisors complimented VDOT staff for performing a good job on snow removal. Supervisor Chandler noted that pre-treatment of the roads was beneficial.

Supervisor Breeden noted residents on McGahey Lane (Route 647) want to know if their road qualifies as rural rustic and whether the unpaved portion can be improved.

Chair Wolfe-Garrison questioned how many VDOT employees work to clear the County roads. Mr. Komara noted VDOT has over 200 pieces of hired equipment to service roads in three counties. He noted 25 pieces of equipment are used to remove snow from Interstate 81.

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 following resolution:

RESOLUTION

**ENDORISING THE SUBMISSION OF
VDOT REVENUE SHARING APPLICATION**

WHEREAS, the Board of Supervisors of Rockingham County desires to submit an application for an allocation of funds of up to \$169,256 through the Virginia Department of Transportation (VDOT) Fiscal Year 2023-28 Revenue Sharing Program; and

WHEREAS, these funds are requested to fund improvements to widen the existing Rawley Springs Road (Route 847) to 16-18 feet, and make drainage improvements; and

WHEREAS, the Rockingham County Board of Supervisors hereby supports the 50 percent local match allocation of \$84,628 through the Virginia Department of Transportation Fiscal Year 2023-28 Revenue Sharing Program.

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors hereby commits to fund its local share of \$84,628 for preliminary engineering, right-of-way, and construction for the project under agreement with the Virginia Department of Transportation in accordance with the project financial document; and

BE IT FURTHER RESOLVED that the Rockingham County Administrator is authorized to execute all agreements and addendums for this project with the Virginia Department of Transportation.

Mr. Komara indicated VDOT has applied for revenue sharing funds, but they will not be effective until July.

Ms. Cooper indicated the County will not know if the portion of the application that affects this resolution will be awarded until the Commonwealth Transportation Board reviews it in June. The rural addition is a separate matter, she said.

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COUNTY ADMINISTRATOR’S STAFF REPORT.

Administrator King reported he expects that the Middle River Regional Jail (MRRJ) Board, will decide not to proceed with the proposed project. Instead, necessary improvements such as the addition of storage space and kitchen modifications will be handled through the Jail’s annual budget process and there will be no borrowing of funds. He did make it clear that he thinks more beds are needed.

Administrator King indicated there are currently 175 Department of Corrections (DOC) inmates who have been housed at MRRJ for 90 days past their sentencing date. He would like the DOC to stop extending the date to move the inmates because the local jail is full and Middle River is housing 750 inmates, twice the rated capacity.

In response to a question from Supervisor Ritchie regarding the reason the DOC has not moved the inmates as agreed, Supervisor Kyger said he does not believe they have a legitimate reason not to take them, and he thinks legislative actions will need to be taken to remove the inmates from MRRJ. Administrator King said he will make sure new representatives are aware of the situation.

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ASSISTANT COUNTY ADMINISTRATOR’S STAFF REPORT.

The Board received and reviewed Mr. Armstrong’s staff report for January 12, 2022.

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FINANCE DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Davidson's staff report dated January 12, 2022.

Mrs. Davidson noted a budget work session is scheduled for January 26, 2022 at 4:00 p.m. in the Fire and Rescue Training Room. The advertisement of the proposed tax rate for the fiscal 2023 budget will be discussed, she said.

Mrs. Davidson reported that the capital improvement plan (CIP) was approved by the Planning Commission and will be placed on the County website. It will come before the Board in April.

Mrs. Davidson said one response was received for the Invitation to Bid (ITB) issued for the replacement of the fire alarm system in the County Administration Center. Staff recommended awarding the bid to Hawk Security Systems, Inc. at a cost of \$24,830.20.

On motion by Supervisor Chandler, 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 authorized staff to enter into a contract with Hawk Security Systems, Inc. to replace the fire alarm system in the County Administration Center, at a cost of \$24,830.20.

FINANCE COMMITTEE REPORT.

FY2021-2022 Supplemental Appropriation

School Operating Fund

Mrs. Davidson reported that Schools requested an appropriation for escrow funds which were not included in the budget prior to its approval. The School Operating Fund received unanticipated revenue from the federal government in order to continue the efforts related to learning loss and mitigation strategies.

The appropriation of \$2,013,044 was approved by the School Board and requires approval from the County Board since it is an increase to the total county budget for the fiscal year.

On motion by Supervisor Chandler, seconded by Supervisor Breeden, 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 \$2,013,044 appropriation to the School Operating Fund.

On motion by Supervisor Chandler, 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 approved the following 2021-2022 supplemental appropriations:

FY2021-2022 Supplemental Appropriation

Health & Human Services Funds – COVID-19

Rockingham County received \$7,352.84 from the Health & Human Services Department to be used for direct support in the emergency response associated with the COVID-19 pandemic. For budgeting purposes, the amount of the supplemental has been rounded to \$7,353.

Supplemental Appropriation: \$7,353

| | | |
|----------|--|--------------------------|
| \$ 7,353 | GL Code: 1001-00000-13900-000-339510-000 | HHS COVID-19 Response |
| \$ 7,353 | GL Code: 1001-03205-00000-000-506014-000 | Other Operating Supplies |

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HUMAN RESOURCES DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Mongold’s staff report dated January 12, 2022.

Supervisor Kyger expressed appreciation to the Human Resources staff.

Administrator King stated Human Resources has had increased workload tracking, advising, and notifying employees with regard to regulations that change frequently.

In response to a question from Chair Wolfe-Garrison, Mrs. Mongold indicated Human Resources has three full-time staff, not including her, who assist approximately 900 employees.

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PUBLIC WORKS DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mr. Rhodes’ staff report dated January 12, 2022.

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COMMUNITY DEVELOPMENT DIRECTOR’S STAFF REPORT.

The Board received and reviewed Ms. Cooper’s staff report dated January 12, 2022.

Ms. Cooper brought attention to a new section at the end of the Community Development Staff Report to track solar projects. The table will be changed as more entries are received and the content becomes more complex.

Supervisor Kyger suggested that Ms. Cooper speak with Joe Lerch, VACo Director of Local Government Policy, about VACo’s potential legislation requesting the power companies notify local governments where kilovolt (kV) lines will be located, as well as the best location for battery storage.

An Annual Planning Commission report was provided to the Board, as required by Virginia State Code.

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TECHNOLOGY DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Perry’s staff report dated January 2022.

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FIRE AND RESCUE CHIEF’S STAFF REPORT.

The Board received and reviewed Chief Holloway’s staff report dated January 2022.

In response to a question from Chair Wolfe-Garrison and Supervisor Ritchie, Chief Holloway reported vaccinations have not been conducted at the County Fair Grounds since early December, but Fire and Rescue is prepared to provide vaccinations if the need arises. Fire and Rescue is currently providing COVID tests for employees with COVID symptoms.

They placed an order for 400 home COVID tests and plan to distribute them to local Fire and Rescue stations.

Administrator King noted citizens who test positive, need to inform the Health Department so they can do contact tracing. Chief Holloway noted that the Human Resources Department is handling tracing for employees.

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PARKS & RECREATION DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Dean's staff report dated January 4, 2022.

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COURT SERVICES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Ms. Ritchie's staff report dated January 12, 2022.

In response to a question from Supervisor Ritchie, Ms. Ritchie noted a 40-hour Crisis Intervention Training continues to be provided, with the next class starting on February 7, 2022.

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COMMITTEE REPORTS.

As Chair Wolfe-Garrison stated earlier in the meeting, committee appointments have not been made to most community committees. Until a new member is appointed to a community committee, the person who served on that committee in 2021 shall continue to attend and report on the committees they were previously assigned, she said.

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

HARRISONBURG-ROCKINGHAM REGIONAL SEWER AUTHORITY (HRRSA)

Mr. Rhodes said the HRRSA meeting will be held on February 7, 2022.

MASSANUTTEN REGIONAL LIBRARY

Chair Wolfe-Garrison announced that Rochelle Carr was hired as the Library Director and will be starting in her position soon.

VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Supervisor Kyger reminded Board members that legislators are in session, and suggested they be attentive to what is occurring.

Supervisor Kyger reminded the Board members that VACo meetings will be held in Richmond on February 2 and 3, 2022.

CHAIR

Chair Wolfe-Garrison reminded Board members to review the FY21-22 budget calendar and take note of upcoming meeting dates.

OTHER

Administrator King stated there will be a closed meeting regarding possible litigation later in the meeting.

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COMMITTEE APPOINTMENTS.

Supervisor Chandler made a motion to appoint Neil Hayslett to serve as the District 3 Economic Development Authority representative. Supervisor Ritchie made a motion to appoint Kevin Flint to represent District 1 on the Economic Development Authority.

Supervisor Kyger seconded both motions 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 appointed Neil Hayslett to represent District 3 and Kevin Flint to represent District 1 on the Economic Development Authority for terms to expire on December 31, 2025.

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CLOSED MEETING.

On motion by Supervisor Chandler, 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 recessed the meeting from 4:37 p.m. to 4:47 p.m., for a closed meeting pursuant to 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 KYGER
SECOND: SUPERVISOR CHANDLER

RESOLUTION NO: 22-01
MEETING DATE: January 12, 2022

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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RECESS.

Chair Wolfe-Garrison recessed the meeting for dinner at 4:48 p.m.

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RECONVENE MEETING.

At 6:00 p.m., Chair Wolfe-Garrison reconvened the meeting of the Rockingham County Board of Supervisors.

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ADDITIONAL COMMITTEE APPOINTMENTS.

On motion by Supervisor Ritchie, 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 appointed Kevin Flint to represent District 1 on the Planning Commission for a term to expire August 31, 2026.

On motion by Supervisor Breeden, 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 appointed Keith Sheets to represent District 5 on the Planning Commission for a term to expire August 31, 2024.

On behalf of Chair Wolfe-Garrison, 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 appointed Jordan Rohrer to represent District 2 on the Planning Commission for a term to expire August 31, 2024.

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PUBLIC HEARING – ORDINANCE AMENDMENT.

At 6:02 p.m., Chair Wolfe-Garrison opened the public hearing and County Attorney Miller recalled that during the December 8, 2021 Board Meeting, Commissioner of the Revenue Cullers presented a revised tax relief schedule and recommended that the Board approve the increases in the income and asset limits for Real Estate Tax Relief for Elderly and Disabled for the upcoming 2022 tax year.

No one from the public spoke regarding the proposed ordinance amendment.

Chair Wolfe-Garrison closed the public hearing at 6:05 p.m.

On motion by Supervisor Chandler, 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 adopted the following ordinance amendment:

**ORDINANCE REPEALING
AND RE-ENACTING
SECTION 7-21
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

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

Section 7-21. “Amount of exemption” be and hereby is repealed and re-enacted as follows:

Sec. 7–21. Amount of exemption.

Persons qualifying for and claiming exemption shall be relieved of that portion of the real estate tax levied on the qualifying dwelling and land in the amount calculated in accordance with the following schedule:

AMOUNT OF EXEMPTION

| <i>Range of Net Worth</i> | | | |
|---------------------------|----------------------|-----------------------------|-----------------------------|
| <i>Range of Income</i> | <i>0 to \$45,000</i> | <i>\$45,001 to \$65,000</i> | <i>\$65,001 to \$85,000</i> |
| 0 to \$25,000 | 100% | 75% | 50% |
| \$25,001 to \$30,000 | 80% | 65% | 40% |
| \$30,001 to \$35,000 | 50% | 40% | 30% |
| \$35,001 to \$45,000 | 25% | 15% | 10% |
| Over \$45,000 | 0% | 0% | 0% |

This ordinance shall take effect January 1, 2022.

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PUBLIC HEARING – REZONING.

At 6:06 p.m., Chair Wolfe-Garrison opened the Rezoning Public Hearing. Land Use Planner Kayla Yankey reviewed the following rezoning request:

REZ21-273 Sunnyside Presbyterian Home, 600 University Boulevard, Suite L, Harrisonburg, VA 22801. This request is a master plan amendment on the 130.46-acre site. The property is located on the east side of Massanetta Springs Drive (Route 687) approximately 0.5 mile north of Shen Lake Drive (Route 689). The Comprehensive Plan identifies the area as Community Residential in a suburban zone within the Urban Development Area. Zoned R-5C Planned Neighborhood District with Conditions. Tax Map 126G-(4)- L1, L2, L3, 126G-(2)- L10, L11 & a portion of 126-(A)- L44B in Election District 3.

Mrs. Yankey indicated Ed Blackwell from Blackwell Engineering was available to answer any questions.

Mr. Blackwell noted the applicant came before the Board in 2017 with a master plan amendment, and now desires to update it with newer projects, such as additional units and cottages, and upgrades to the village apartments. Mr. Blackwell said, since 2017, the green space has increased due to the addition of land, and Sunnyside is connected to County water and sewer.

Lynn Smith, an adjoining landowner of Sunnyside, said she was traveling in 2017 and had not received a mailed notice from the County when she returned home.

Ms. Smith stated the new development at Sunnyside appears to be on a steep hillside. After being assessed for flood control, Ms. Smith said the Board should consider how her property will be affected by the water runoff and the trees being cut down from the hillside. She asked that consideration be given to her property and other adjoining properties.

Chair Wolfe-Garrison informed Ms. Smith that the water and sewer issues she experienced in the past are not part of the rezoning request being discussed, but the issue she encountered will be discussed at the site plan level. Chair Wolfe-Garrison informed Ms. Smith that Sunnyside will be responsible for the water and sewer, and the rezoning will not affect her sewer adjustment.

At 6:18, Chair Wolfe-Garrison closed the rezoning public hearing.

Supervisor Chandler indicated the Sunnyside request is consistent with the 2017 master plan. He noted the relocation of the entrance is a good improvement.

On motion by Supervisor Chandler, seconded by Supervisor Breeden, 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 REZ21-273 for Sunnyside Presbyterian Home, 600 University Boulevard, Suite L, Harrisonburg, VA 22801. This request is a master plan amendment on the 130.46-acre site. The property is located on the east side of Massanetta Springs Drive (Route 687) approximately 0.5 mile north of Shen Lake Drive (Route 689). The Comprehensive Plan identifies the area as Community Residential in a suburban zone within the Urban Development Area. Zoned R-5C Planned Neighborhood District with Conditions. Tax Map 126G-(4)- L1, L2, L3, 126G-(2)- L10, L11 & a portion of 126-(A)- L44B in Election District 3.

(Note: A copy of the Sunnyside Master Plan and Plan Description are attached to and made a part of these minutes.)

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PUBLIC HEARING – SPECIAL USE PERMITS.

At 6:20 p.m., Chair Wolfe-Garrison opened the public hearing and Mr. Getz reviewed the following special use permit requests:

SUP21-280 Brian Shipe, 92 North Liberty Street, Harrisonburg, VA 22801, for a Machinery and Equipment Center and Motor Vehicle Repair Shop located on the north side of Jackson’s way (Route #955) approximately 1 mile west of South East Side Highway (Route #340) in Election District 3, Zoned A-1. Tax Map #152-(A)- L93

The applicant was present.

Representing the applicant, Attorney Katherine Mann indicated Mr. Shipe applied for a machinery and equipment center, as well as a motor vehicle repair shop. However, he primarily plans to repair diesel farm machinery. Ms. Mann stated that the business is presently owned by the applicant’s father, Keith Shipe, who gave him permission to use the facility. Mr. Shipe will be the only employee.

Ms. Mann said the only outstanding issue is the sewage, and Mr. Shipe will apply for a permit at the Health Department. She said Mr. Shipe will also submit a site plan.

No other members of the public spoke regarding the request.

SUP21-301 Stoneleigh Associates, LLC, 1463 Brookhaven Drive, Rockingham, VA 22801, for a climate-controlled mini storage, located on the north side of Spring Port Drive approximately 0 feet east of Apple Valley Road (Route #726) in Election District 4 and zoned B-1C. Portion of Tax Map # 125-(A)- L7A

Mr. Getz noted that in the updated case report he provided to the Board, staff recommended that a sidewalk shall be installed by the developer along the entire street frontage of Apple Valley Road and Springport Drive if the permit is approved.

Mr. Getz noted that the applicant, Ted Budd, was in attendance. Mr. Budd indicated he would agree with including an additional condition regarding the sidewalk.

Supervisor Kyger suggested the County complete the remaining section of the sidewalk around the entire corridor to ensure it is safe for pedestrian traffic, and to look professional.

No members of the public spoke regarding the request.

SUP-314 Shenandoah Valley Produce Auction, LLC, 2839 Lumber Mill Road, Dayton, VA 22821, for a farm market located on the south side of Lumber Mill Road (Route #734) approximately 1500 ft. west of West Dry River Road (Route #738) in Election District 4 and zoned A1. Tax Map number 106-(A)- L33A

Mr. Getz indicated this request is for an expansion to add 3.1 acres from an adjoining parcel, which will reduce the impact of parking and traffic at the facility.

Mr. Getz noted that several of the applicants representing the auction were present.

Ed Blackwell spoke on behalf of the applicants, who are expanding their current use to make the business more efficient. They do not plan to conduct additional auctions.

No members of the public spoke regarding the request.

SUP21-319 Dean L. Wadel, 5169 Scotts Ford Road, Mt. Crawford, VA 22841, for a warehouse located on the east side of Cross Keys Road (Route #276) approximately 600 feet north of Scotts Ford Road (Route #678), in Election District 3, zoned A2. Tax Map# 150-(A)- L82A1

Mr. Getz noted that Mr. Wadel needs more space for his business model, which is to purchase local agricultural products and wholesale them to local grocery stores and farm markets.

Mr. Getz said Mr. Wadel proposed an ordinance amendment in November 2021 removing the requirement that a warehouse in agricultural zoning has to be in an agricultural structure that is more than three years old. Mr. Getz indicated the amendment was approved by the Board.

Applicant Dean Wadel explained he currently picks up produce from local farmers, which he brings to his bank barn, where he has coolers. He distributes the produce to local stores in Harrisonburg, Charlottesville, Richmond, and Northern Virginia. Mr. Wadel indicated he serves approximately 20 farm producers, as well as 15 farm stands, small grocery stores, and food co-ops in the County. Mr. Wadel noted the procedure he uses increases efficiency, but he needs more storage space, including cold storage, for agricultural products until they are delivered. The additional space is requested to increase efficiency, rather than for business growth, he said.

French Price, a Value Chain Coordinator with the Virginia Cooperative Extension Service, noted Mr. Wadel's business is prospering, with an efficient and safe plan. She noted Mr. Wadel's farm wagon business is critical to provide farm-to-table food to a larger population since local farmers produce more food than the local demand. Ms. Price indicated Mr. Wadel's business is a great expansion for agriculture.

Wayne Beery said his family owns and operates a dairy farm with a small creamery. The Beery family markets their products through a local group of organic farmers under the Shenandoah Valley Family Farms brand. Mr. Beery said Mr. Wadel is their sole distributor so they depend on him to provide efficient, low-cost movement of their products from the farm to a retailer. Mr. Beery hopes Mr. Wadel will be able to increase his space and continue to provide market access for small farms that would struggle otherwise.

SUP21-326 John H. Monger, IV, 424 Monticello Avenue, Harrisonburg, VA 22801 for an additional dwelling, located on the east side of Imboden Road (Route #990) approximately 1 mile east of Lee Highway (Route #11) in Election District 4, zoned A1. Tax Map #137-(A)-L107

In response to questions from Supervisor Ritchie, Mr. Getz confirmed that an additional dwelling was approved on the property in 2020. Mr. Getz explained that County code allows for up to two additional dwellings on A-1- or A-2-zoned properties of 30 acres or more (one additional dwelling is allowed if the property is 15 acres or more). It was noted that Mr. Monger’s property contains more than 99 acres.

Mr. Monger said he purchased the farm and farmhouse from his father. A previous special use permit was approved to allow improvements to a cabin already on the property. He would like to build a house on the farm for him and his wife. If this special use permit is approved, his family will have three residences on the property, including the cabin, Mr. Monger said.

No members of the public spoke regarding the request.

SUP21-327 Melrose Farms LLC, 247 Fairway Drive, Harrisonburg, VA 22802 for a cultural center, located on the west side of North Valley Pike (Route #11) approximately 50 feet west of Fellowship Road (Route #721) in Election District 3, zoned A2. Tax Map #81-(A)- L55 & 54

Mr. Getz noted the applicant wants to convert an old gas station on the property into a dwelling to use as an office or ticket office for the caverns. Mr. Getz indicated the property has historical significance, so the request is designated as a cultural center.

Applicant Richard Yancey indicated the gas station was restored several years ago. In the process of bringing the caverns back as a tourist attraction, the family decided to also bring the gas station back to its original use to sell tickets for entry to the caverns and promote tourism.

No members of the public spoke regarding the request.

SUP21-315 Shaina R. Conley, 18856 Red Brush Road, Elkton, VA 22827, for an additional dwelling located on the south side of Red Brush Road (Route #607) approximately .2 mile west of Fox Mountain Road (Route #759) in Election District 5, zoned A-1. Tax Map #116-(A)-L116A

The applicant was present.

Shaina Conley stated this is a family-owned farm with poultry houses. Her family is looks forward to living next to other family members. Mrs. Conley noted both of their children are members of the Rockingham County 4-H, and the move will allow them to be near their animals.

No members of the public spoke regarding the request.

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At 6:55 p.m., Chair Wolfe-Garrison closed the public hearing.

SUP21-315, Shaina R. Conley

On motion by Supervisor Breeden, seconded by Supervisor Ritchie, 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, subject to the following conditions, approved SUP21-315, Shaina R. Conley, 18856 Red Brush Road, Elkton, VA 22827, for an additional dwelling located on the south side of Red Brush Road (Route #607) approximately .2 mile west of Fox Mountain Road (Route #759) in Election District 5, zoned A-1. Tax Map #116-(A)- L116A.

Conditions:

1. Use shall be in substantial accordance with the submitted site plan.
2. The use and structures shall comply with all applicable federal, state, and local regulations.

SUP21-280, Brian Shipe

Supervisor Chandler confirmed with Mr. Shipe that there will be no more than ten pieces of equipment on the property for repair at a time. The applicant indicated there would most likely be two pieces of machinery on the property at a time.

Since there will be no other employees, Supervisor Chandler did not think there was an issue with the rest room. Mr. Getz indicated a bathroom will be addressed at the site plan stage.

On motion by Supervisor Chandler, 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, subject to the following conditions, approved SUP21-280, Brian Shipe, 92 North Liberty Street, Harrisonburg, VA 22801, for a Machinery and Equipment Center and Motor Vehicle Repair Shop located on the north side of Jackson’s way (Route #955) approximately 1 mile west of South East Side Highway (Route #340) in Election District 3, Zoned A-1. Tax Map #152-(A)- L93

Conditions:

1. Use shall be in substantial accordance with the submitted site plan.
2. The use and structures shall comply with all applicable federal, state, and local regulations.

SUP21-301, Stoneleigh Associates, LLC,

Supervisor Kyger requested an additional condition for SUP21-301, that a sidewalk shall be installed by the developer along the entire street frontage of Apple Valley Road and Spring Port Drive.

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, subject to the following conditions, approved SUP21-301, Stoneleigh Associates, LLC, 1463 Brookhaven Drive, Rockingham, VA 22801, for a climate-controlled mini storage, located on the north side of Spring Port Drive approximately 0 feet east of Apple Valley Road (Route #726) in Election District 4 and zoned B-1C. Portion of Tax Map # 125-(A)- L7A

Conditions:

1. A sidewalk meeting VDOT requirements shall be installed by the developer along with the entire street frontage of Apple Valley Road and Spring Port Drive.
2. Use shall be in substantial accordance with the submitted site plan.
3. The use and structures shall comply with all applicable federal, state, and local regulations.

SUP21-314 Shenandoah Valley Produce Auction

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, subject to the following conditions, approved SUP21-314 Shenandoah Valley Produce Auction, LLC, 2839 Lumber Mill Road, Dayton, VA 22821, for a farm market located on the south side of Lumber Mill Road (Route #734) approximately 1500 ft. west of West Dry River Road (Route #738) in Election District 4 and zoned A1. Tax Map number 106-(A)- L33A.

Conditions:

1. Use shall be in substantial accordance with the submitted site plan.
2. The use and structures shall comply with all applicable federal, state, and local regulations.

SUP21-319, Dean L. Wadel

On motion by Supervisor Chandler, 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, subject to the following conditions, approved SUP21-319, Dean L. Wadel, 5169 Scotts Ford Road, Mt. Crawford, VA 22841, for a warehouse located on the east side of Cross Keys Road (Route #276) approximately 600 feet north of Scotts Ford Road (Route #678), in Election District 3, zoned A2. Tax Map# 150-(A)- L82A1

Conditions:

1. Use shall be in substantial accordance with the submitted site plan.
2. The use and structures shall comply with all applicable federal, state, and local regulations.

SUP21-326, John H. Monger, IV

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, subject to the following conditions, approved SUP21-326, John H. Monger, IV, 424 Monticello Avenue, Harrisonburg, VA 22801 for an additional dwelling, located on the east side of Imboden Road (Route #990) approximately 1 mile east of Lee Highway (Route #11) in Election District 4, zoned A1. Tax Map #137-(A)-L107

Conditions:

1. Use shall be in substantial accordance with the submitted site plan.
2. The use and structures shall comply with all applicable federal, state, and local regulations.

SUP21-327, Melrose Farms LLC

Regarding SUP21-327, Mr. Getz stated he wanted to point out that the original application showed parking along North Valley Pike (Route 11). He noted that an updated site plan, that shows no parking on the VDOT right-of-way, was sent to staff. It has been emailed to the Supervisors, he said.

Mr. Getz confirmed for Supervisor Ritchie that there is parking at the back of the building. He said the updated site plan shows parking to the sides of the old gas station instead of along the VDOT right-of-way.

Supervisor Chandler said he was pleased to see the gas station restored back to the luster of past years. He expressed appreciation to the applicant, noting the restoration of the gas station is a huge asset.

On motion by Supervisor Chandler, seconded by Supervisor Breeden, 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, subject to the following conditions, approved SUP21-327, Melrose Farms LLC, 247 Fairway Drive, Harrisonburg, VA 22802 for a cultural center, located on the west side of North Valley Pike (Route #11) approximately 50 feet west of Fellowship Road (Route #721) in Election District 3, zoned A2. Tax Map #81-(A)- L55 & 54

Conditions:

1. Use shall be in substantial accordance with the submitted site plan.
2. The use and structures shall comply with all applicable federal, state, and local regulations.

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ADJOURNMENT.

Chair Wolfe-Garrison declared the meeting adjourned at 7:03 p.m.

_____,
Chair