

March 22, 2023

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, March 22, 2023, at 6:00 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

- 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
- PHILIP S. RHODES, Director of Public Works
- KELLY S. GETZ, Zoning Administrator
- MOLLY S. BARNETT, Deputy Clerk
- DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation
- JEREMY S. MASON, Assistant Residency Administrator
Virginia Department of Transportation
- C. BURGESS LINDSEY, Area Land-Use Engineer
Virginia Department of Transportation

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

Chairman Ritchie called the meeting to order at 6:00 p.m.

Supervisor Wolfe-Garrison provided the invocation, and County Administrator King led the Pledge of Allegiance.

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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 4 to 0 to 1, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – ABSTAIN; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved the minutes of the regular meeting of March 8, 2023.

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INTRODUCTION OF STUDENTS.

Students from Turner Ashby High School introduced themselves to the Board.

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UPDATE – BRENT BERRY FOOD DRIVE.

James William “Bucky” Berry provided an update on the Brent Berry Food Drive. Mr. Berry reported this year’s food drive was the most successful in history.

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PRESENTATION – VALLEY INTERFAITH ACTION.

Nancy Hopkins-Garris stated Valley Interfaith Action (VIA) is a citizen organization comprised of paying member churches, synagogues, and civic organizations, with a goal of improving lives in the Valley. Ms. Hopkins-Garris said in 2022, many conversations between VIA members and community members revealed that transportation and childcare were the main areas of concern. She indicated the founding meeting of VIA took place on March 21, 2023, with over 500 people attending.

Ms. Hopkins-Garris elaborated on the need for transportation in the County, stating that according to Sentara, 38 percent of older adults reported transportation as the number one barrier to receiving medical care. She spoke about how many people have no option but to walk on busy roads, sometimes through inclement weather, to attend their jobs.

Transportation services already exist in Greene and Wise counties, she said. Door to door service allows any resident to call 24 hours in advance and reserve. Ms. Hopkins-Garris said the first step is a feasibility study to clarify what the needs are for the communities within the County. She explained VIA has committed to raise \$25,000 for a feasibility study, and is requesting a letter of support from the Board.

Lisa Will introduced her son Chase, who is employed at Costco and has Down Syndrome. Ms. Will stated that her son craves independence, and his main obstacle is transportation to work. Ms. Will said there are many adults like Chase in the area who have no option but to stay home all day.

Dayton business owner and VIA leader Nadia Dames spoke about how transportation issues affect employers and cause staffing problems. Ms. Dames told the story of an employee who walked over five miles to work when their bicycle broke.

In response to a question from Supervisor Wolfe-Garrison, VIA Lead Organizer Katie Cohen indicated VIA has a meeting in April with Neil Sherman, Director of Statewide Transit Programs for the Virginia Department of Rail and Public Transit. She said if VIA were to receive a letter of support from the Board, the application for the feasibility study would be submitted in May, with the study ideally beginning no later than July. Ms. Cohen stated the scope of the study would include coverage areas, needs, projected costs, and interest. She added that VIA will be in discussion with area employers.

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 authorized Administrator King to write a letter on behalf of the Board in support of a transportation feasibility study for Valley Interfaith Action.

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TRANSPORTATION DEPARTMENT.

Mr. Komara introduced Jeremy Mason, who has returned to the position of Assistant Residency Administrator with the 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.

In response to a question from Supervisor Wolfe-Garrison, Mr. Komara stated contracts for the Route 11 widening project are in negotiation stages.

Supervisor Kyger noted that Bridgewater recently put a new camera-operated speed enforcement system in place. Mr. Kyger also continued to encourage the Harrisonburg Rockingham Metropolitan Planning Organization to focus on ingress and egress studies around Bridgewater, to better utilize transportation routes for truck traffic.

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ADOPTION OF TAX RATES FOR FY23-24.

Assistant County Administrator Davidson stated the proposed budget for fiscal year 2024 had been discussed in work sessions with the Finance Committee and school Superintendent. Although the budget presentation will not take place until April 26, 2023, she said the proposed budget will not include a change to tax rates. Mrs. Davidson explained by adopting the tax rates now, the Treasurer will be able to complete the billing process in order to give citizens ample time for the June 5, 2023, real estate tax collection date. Staff recommended adoption of the current tax rates for calendar year 2023.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Kyger, the Board opened discussion for the proposed adoption of tax rates.

Supervisor Wolfe-Garrison inquired if something were to change at the state or federal level, if adjustments could be made in the December collection without causing undue hardship for the Treasurer or Commissioner of the Revenue’s office.

Mrs. Davidson explained that would apply most to personal property tax, since it is the only bill collected in December for the first time during calendar year 2023. She added that real estate tax is unlikely to change.

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 tax rates for calendar year 2023:

Classification of Tax	Tax Rate for 2023
Real Estate	\$0.68
Personal Property	\$3.00
Vehicles	\$2.65
Motor Homes Only	\$2.65
Machinery & Tools	\$2.55
Merchants’ Capital	\$0.87
Agriculture Equipment	\$0.44
Manufactured Homes	\$0.68
Aircraft	\$0.44

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COUNTY ATTORNEY.

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 resolution:

A RESOLUTION OF THE ROCKINGHAM COUNTY BOARD OF SUPERVISORS RENAMING A PLATTED STREET WITHIN THE CROSSINGS, SECTION TWO

WHEREAS, The Crossings is a subdivision located partially in Rockingham County, Virginia, and partially in the City of Harrisonburg, Virginia;

WHEREAS, Section Two of The Crossings was subdivided by approved plat prepared by Hal T. Benner, L.S. entitled “The Crossings, Section Two,” dated November 1, 2020, revised July 2,

2021, of record in the Office of the Clerk of the Circuit Court of Rockingham County, Virginia (the “**Clerk’s Office**”) in Deed Book 5471, Page 606 (“**The Crossings Section Two Plat**”);

WHEREAS, Sheets 4 and 17 of The Crossings Section Two Plat identify one of the dedicated public streets in the subdivision as “Ridge Haven Drive” which is also the designation of such street on the street signs currently installed in the subdivision;

WHEREAS, Sheets 6, 7, 8, 9, 12, 13, 14, and 15 of The Crossings Section Two Plat identify that same public street as “Ridge Haven Road”;

WHEREAS, to eliminate confusion and ensure consistency of the platted street name with the signage installed in the subdivision, the Board of Supervisors of Rockingham County, Virginia has determined it advisable to exercise its power and authority pursuant to Virginia Code §15.2-2019 to officially name such street as “Ridge Haven Drive”;

NOW THEREFORE BE IT RESOLVED this 22nd day of March, 2023, that, pursuant to its power and authority under Virginia Code §15.2-2019, the Rockingham County Board of Supervisors hereby designates “Ridge Haven Drive” as the official name of those portions of the public street located within Rockingham County which are designated on The Crossings Section Two Plat as both “Ridge Haven Drive” and “Ridge Haven Road” and directs that a certified copy of this Resolution be presented to the Clerk’s Office for recordation.

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ASSISTANT COUNTY ADMINISTRATOR FOR FINANCE AND OPERATIONS.

Mrs. Davidson stated the County issued an Invitation to Bid (ITB) for water treatment chemicals. Staff reviewed responses and recommended awarding contracts to three of the respondents in order to receive the best price.

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 awarded contracts for water treatment chemicals to Valley Chemical Solutions, Univar Solutions USA, and George S. Coyne Chemical Company, Inc., for a total estimated annual cost of \$123,252.

Mrs. Davidson stated the County issued a Request for Proposals (RFP) to establish a contract for installation, maintenance, and repair services for electrical, electronic controls and systems in water and wastewater systems (SCADA). Staff recommended awarding the contract to Allen Yoho Electrical, Inc. Mrs. Davidson noted the RFP was solicited using quotes for hourly rates of SCADA technicians, making an overall price quote unavailable.

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 awarded the Electrical and Electronic Controls & Systems Repair, Installation and Maintenance (SCADA) contract to Allen Yoho Electrical, Inc.

Mrs. Davidson said the County issued a design-build RFP for the Elkton Emergency Response Station with one response from Harman Construction. She explained staff worked with Harman and found that demolishing and rebuilding the structure would be the most productive option, at a cost not to exceed \$4.8 million. Mrs. Davidson said other purchases will be made outside the Harman contract, and the project’s total cost is not to exceed \$5 million.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Breedon, 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 awarded the

Elkton Emergency Response Station design-build contract to Harman Construction in an amount not to exceed \$4.8 million.

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VIRGINIA ASSOCIATION OF COUNTIES LIAISON (VACo)

Supervisor Kyger reminded Board members that a virtual meeting for VACo Regions 6 and 9 will be held on April 13, and the VACo Board of Directors will meet on April 26.

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COMMITTEE APPOINTMENT.

On motion by Supervisor Wolfe-Garrison, 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 appointed Joshua Montanez to fill an unexpired term on the Social Services Advisory Board, for a term to expire on June 30, 2024.

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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; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board recessed the meeting from 7:16 p.m. to 8:10 p.m., for a closed meeting pursuant to Section 2.2-3711.A(1), Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; Section 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 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: 23-06
SECOND: SUPERVISOR CHANDLER MEETING DATE: March 22, 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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RECESS.

At 8:11 p.m., Chairman Ritchie recessed the regular meeting to a date certain of March 28, 2023, at 2:45 p.m. for a closed meeting.

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RECONVENE.

The recessed meeting of the Rockingham County Board of Supervisors was held on Tuesday, March 28, 2023, at 2:45 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 – joined meeting at 2:55 p.m.

MICHAEL A. BREEDEN, Election District #5 was absent.

Also present:

- THOMAS H. MILLER, JR., County Attorney
- CASEY B. ARMSTRONG, Assistant County Administrator for Economic Development
- PATRICIA D. DAVIDSON, Assistant County Administrator for Finance & Operations
- JOSHUA J. GOODEN, Economic Development & Tourism Coordinator

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CLOSED MEETING.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Chandler, and carried by a roll call vote of 3 to 0, voting recorded as follows: BREEDEN – ABSENT; CHANDLER – AYE; KYGER – ABSENT; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board recessed the meeting from 2:48 p.m. to 4:52 p.m., for a closed meeting pursuant to Section 2.2-3711.A(1), Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; 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;

MOTION: SUPERVISOR KYGER	RESOLUTION NO: 23-07
SECOND: SUPERVISOR CHANDLER	MEETING DATE: March 28, 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: CHANDLER, KYGER, RITCHIE, WOLFE-GARRISON
NAYS: NONE
ABSENT: BREEDEN

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ADJOURN.

Chairman Ritchie declared the meeting adjourned at 4:53 p.m.

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Chairman