

April 26, 2023

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, April 26, 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
- MICHAEL A. BREEDEN, Election District #5

WILLIAM B. KYGER, JR., Election District #4 was absent.

Also present:

- MARSHA L. GARST, Commonwealth's Attorney
- CHAZ W. HAYWOOD, Clerk of Court
- 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
- MICHAEL L. BOWEN, Director of Technology
- RHONDA H. COOPER, Director of Community Development
- KIRBY W. DEAN, Director of Parks & Recreation
- LISA B. GOODEN, Registrar
- PAULA A. GREENHAGEN, Director of Human Resources
- JEREMY C. HOLLOWAY, Fire & Rescue Chief
- ROSS C. MORLAND, Director of Engineering
- PHILIP S. RHODES, Director of Public Works
- ANN MARIE RITCHIE, Director of Court Services
- RACHEL A. SALATIN, Deputy Director of Community Development
- KELLY S. GETZ, Zoning Administrator
- JESSICA G. KILBY, Deputy Clerk
- DONALD F. KOMARA, Residency Administrator  
Virginia Department of Transportation
- JEREMY S. MASON, Assistant Residency Administrator  
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.

Chairman Ritchie provided the invocation, and Assistant County Administrator Davidson led the Pledge of Allegiance.

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**INTRODUCTION OF STUDENTS.**

Students from Spotswood, East Rockingham, and Turner Ashby high schools introduced themselves to the Board.

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**APPROVAL OF MINUTES.**

On motion by Supervisor Chandler, seconded by Supervisor Breeden, and carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – ABSENT; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved the minutes of the regular meeting of April 12, 2023.

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**TRANSPORTATION DEPARTMENT.**

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

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**PUBLIC HEARING – PROPOSED BUDGET AND CAPITAL IMPROVEMENT PLAN (CIP).**

At 6:15 p.m., Chairman Ritchie declared the meeting open for a public hearing pursuant to Section 15.2-2506, Code of Virginia, 1950, as amended, for the proposed fiscal year 2023-2024 Budget and for the proposed Capital Improvement Plan.

Administrator King provided a presentation regarding the proposed budget and Capital Improvement Plan (CIP).

He recalled that the fiscal year 2023 budget totaled \$447,680,674, with the general fund totaling \$167,778,269. Fiscal year 2022 operational initiatives included the reassessment, employee compensation and recruitment initiatives, early debt retirement, vehicle replacement program, and COVID-19 response. Capital improvements included the Route 11 Emergency Response Station, Rockingham Park maintenance building, addition to the County garage, camera upgrade at the Jail, and other technology improvements.

The proposed budget for fiscal year 2024 totaled \$518,824,432. Administrator King noted that real estate property taxes are the main source of revenue for the County. He reviewed current tax rates and projected tax revenue. An overview of projected state and federal revenue included funding for constitutional officers, fire programs, court services, Payment in Lieu of Taxes (PILT), and victim witness program and drug court program grants.

The proposed budget included \$12.9 million for one-time expenses to renovate Elkton Emergency Response Station, construction of a recreation center, and renovations to Broadway High School. Mr. King stated the County’s uncommitted fund balance would total \$39.8 million.

He provided the details of expenditures to include emergency services, education, recreation, workforce support, a five percent salary increase for all employees, salary adjustments based on the employee compensation study, new positions, health insurance and Virginia Retirement System (VRS) rate increases, and a \$3 million increase to the Rockingham County Public Schools (RCPS) operating fund to assist with Cost-of-Living Adjustment (COLA) and health insurance increases.

Debt service for the County and RCPS for fiscal year 2023 totaled \$75,989,421. Mr. King explained the proposed budget includes a debt service fund with level funding of \$9.7 million each year in order to support the County’s Capital Improvement Plan (CIP).

Mr. King reported the value of one cent on the real estate tax rate is \$1 million in fiscal year 2024, and pointed out there is no proposed increase in tax rates.

In reference to the proposed Capital Improvement Plan, Administrator King recalled the CIP committee began work in the fall of 2022, followed by the the Planning Commission granting its approval in February 2023. Projects included the Elkton Emergency Response Station, Rockingham Park improvements, a recreation facility, technology improvements, emergency services apparatus replacement, and tourism initiatives.

Administrator King reported that Harrisonburg-Rockingham Social Services District (HRSSD) and Children's Services Act (CSA) costs continue to increase. He reviewed the costs related to solid waste, water and sewer, Districts, and Authority's and pointed out each fund is sufficiently self-supported.

In conclusion, Administrator King emphasized the County's desire to spend funds wisely, watch the economy closely, use American Rescue Plan Act (ARPA) funds rationally, and remain prepared to adjust when necessary.

Following Administrator King's presentation, Chairman Ritchie explained the public hearing procedures and opened the floor for comments.

On behalf of the Arts Council of the Valley, Executive Director Jenny Burden requested the County restore funding to the Council, to allow the Council to continue to provide affordable access to a variety of arts experiences. Ms. Burden stated the Arts Council wants the community to know that the drag shows offered at Court Square Theater contained no nudity, no stripping, no lewd gestures and no cursing. She said the Theatre offers programming for many different audiences allowing individuals freedom to choose. In the last three years, 23 Advancing the Arts grants totaling \$27,000 were awarded to County residents or projects directly serving Rockingham County Public Schools. She pointed out these grants have helped fund musical instruments and equipment that continue to serve hundreds of RCPS students every year.

Anita Lunsford with Collins Center and Child Advocacy Center expressed appreciation to the Board for its funding. Ms. Lunsford said the Collins Center is open 24 hours per day serving hundreds of community members to address sexual violence. She explained how investing in evidence-based prevention programs reduces the occurrence of sexual violence. Ms. Lunsford stated the County's support is not only financial, but she also said it is a vote for victims and survivors in our community and recognizes their importance, value and resilience.

Representing City Elders, Tom Heffernan said he appreciates funding for arts programs, but questions funding used for adult content performances. He said the County should support the Arts Council only if it agrees not to host, sponsor, produce or allow adult content arts programs such as drag shows. He stated that Court Square Theatre does not respect the large faith community. He said if the Arts Council is unwilling to provide written assurance to not sponsor and operate adult entertainment, then City Elders wishes to work with the County to reprogram funding to other arts organizations willing to protect children.

Candy Phillips, Executive Director for First Step: A Response to Domestic Violence, highlighted services offered and reported that in 2022, First Step answered 538 hot line calls; provided services to 169 adult survivors and 51 children; and sheltered 65 adult survivors and 43 children in the County and City. She noted that all services provided to victims of domestic violence are offered at no charge. Ms. Phillips expressed appreciation to the County for its continued support.

April Hepler, Executive Director of Adagio House, expressed gratitude to the Board and shared personal stories of how supporting Adagio House helps the community through its therapeutic services and respite for people with disabilities and their caregivers.

Thea Litchfield Campbell thanked the Board for the funding provided to First Step.

Kim Sandum expressed opposition to a waterline project in the area of Rockingham Park and the construction of an amphitheater and recreation facility at the park. She said the park was envisioned to be a buffer zone between urban development and rural countryside. Ms. Sandum made the following points: the proposed projects are contrary to community wishes; will accelerate development rather than buffer it; will undermine the farming community and local recreation programs; will create more traffic; and would use public funds to compete with private businesses while borrowing the money to do it.

Representing Blue Ridge Court Appointed Advocates for Children (CASA), Sherri McKinney Frantz pointed out there are more children in Harrisonburg City and Rockingham County in foster care than anywhere else in the Commonwealth. She said there are currently over 100 children in need of a CASA who do not have one and expressed appreciation for the County's contributions investing in the future of the children in the community.

Robert Strickler thanked the Board for providing services to citizens of the County and asked the Board to reevaluate proposed expansion in and around Rockingham Park.

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

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**RECESS.**

The meeting was recessed from 7:11 p.m. to 7:19 p.m.

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**PUBLIC HEARINGS – ORDINANCE AMENDMENTS.**

At 7:19 p.m., Chair Ritchie opened the public hearing and Zoning Administrator Getz reviewed the following ordinance amendment:

OA23-0371 Staff generated Ordinance Amendment to the Rockingham County Code, Chapter 17 (Zoning Ordinance), Section 17-703.07, Screening, and Section 17-705, Outdoor commercial storage, to allow for other screening options when approved by the zoning administrator.

No members of the public spoke.

At 7:21 p.m., Chairman Ritchie closed the public hearing.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Chandler, and carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDEN – AYE ; CHANDLER – AYE; KYGER – ABSENT; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board adopted the following ordinance amendment:

ORDINANCE ADDING  
SUB-SECTION 17-703.07(d) AND  
REPEALING AND RE-ENACTING SUB-SECTION 17-705(b)  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA

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

That **Sub-section 17-703.07(d) Screening**, be added as follows:

- (d) Other screening plan as approved by the Zoning Administrator.

All other parts of Section 17-703.07 continue as they were, reaffirmed and unaffected.

That **Sub-section 17-705(b) Outdoor commercial storage**, be and hereby is repealed and re-enacted as follows:

- (b) Outdoor commercial storage shall:
  - (1) Be accessory to the approved main use on the same lot;
  - (2) Not occur within any minimum required building setback;

- (3) Be located in the rear yard of the property;
- (4) Be screened from view of the streets utilized by the public and adjacent properties using any combination of fencing and landscaping or other screening plan as approved by the Zoning Administrator;
- (5) Not exceed the height of the screening unless otherwise approved by the Zoning Administrator.

All other parts of Section 17-705 continue as they were, reaffirmed and unaffected.

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Zoning Administrator Getz reviewed the following ordinance amendment:

OA23-0380 Staff generated Ordinance Amendment to the Rockingham County Code, Chapter 17 (Zoning Ordinance), Table 17-707.04, Signs as Permitted Uses, to allow Electronic Message Centers by special use permit in the Agricultural districts: A-1 (Prime Agricultural) and A-2 (General Agricultural).

Chairman Ritchie opened the public hearing at 7:26 p.m. and explained that the proposed ordinance amendment is a result of a church seeking to use an electronic message board to notify the community of upcoming events. Chair Ritchie pointed out that if the ordinance amendment is approved, electronic signs would still be controlled by special use permits.

Kim Sandum spoke in opposition, citing that if approved, every agriculturally zoned parcel in the County could apply for a permit for an electronic sign. She reminded the Board that based on feedback at CIP meetings and Keezletown community meetings, the community strongly supports the rural character of agricultural property and dark skies. She said approval would be a degradation of the County's agriculture.

At 7:29 p.m., Chairman Ritchie closed the public hearing.

Supervisor Wolfe-Garrison motioned to discuss the matter, seconded by Supervisor Chandler and unanimously approved.

Chair Ritchie said this discussion has been ongoing for two years. He stated that the Board could control every electronic sign by special use permit.

Supervisor Chandler voiced concerns and said although each request would be considered individually, this one request could set a precedent. He said it is clear that citizens want light pollution at a minimum, especially in rural areas. Supervisor Chandler said there are existing issues with these signs in other districts and suggested addressing those issues before permitting electronic signs in another district.

Supervisor Wolfe-Garrison stated that the Board is obligated to make land use decisions; not decisions based on the occupant of a piece of property. She pointed out that occupancy changes beyond the Board's control and reiterated that the Board's obligation is to consider the land use and the impact of those land uses on the community as a whole.

Supervisor Breeden recommended tabling the request.

Chair Ritchie said the government should not take forever to make decisions. He said this is something the church has requested for two years.

Supervisor Chandler made a motion to deny the ordinance amendment.

Supervisor Wolfe-Garrison seconded the motion for denial.

Carried by a roll call vote of 3 to 1, voting recorded as follows: BREEDEN – AYE ; CHANDLER – AYE; KYGER – ABSENT; RITCHIE – NAY; WOLFE-GARRISON – AYE; the Board denied OA23-0380 to the Rockingham County Code, Chapter 17 (Zoning Ordinance),

Table 17-707.04, Signs as Permitted Uses, to allow Electronic Message Centers by special use permit in the Agricultural districts: A-1 (Prime Agricultural) and A-2 (General Agricultural).

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**PUBLIC HEARING - SPECIAL USE PERMITS.**

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.

Chairman Ritchie opened the public hearing at 7:43 p.m.

Hexagon Energy representative Ally Kranz provided a presentation and reviewed existing stormwater conditions and concerns and the proposed mitigation plans. She explained how properties along Honeysuckle Road experience stormwater issues as a result of the natural topography and said it will continue unless stormwater management measures are implemented. Ms. Kranz also reviewed the results of a viewshed analysis and screening plans. Related to concerns about clearing trees to install solar panels, Ms. Kranz indicated the landowner actively timbers his land to generate income.

On behalf of Hexagon Energy, Civil Engineer Meghan Hekl answered questions and reviewed the details of the stormwater management plan.

Jeff Miller, owner of the property in the request, said he and his family have owned the property for decades. Mr. Miller explained that the solar lease will allow him to generate income to keep his land for a use that would create no pollution, no noise, no odor and would decrease run-off. He acknowledged that some people have concerns about removing trees for the project and explained the trees are being timbered for income, regardless. Mr. Miller said this request will not negatively affect his neighbors; and in many cases, will improve current stormwater conditions.

A representative from EnergyRight, a nonprofit organization, encouraged the Board to consider both property rights and benefits of solar energy when making these decisions. He noted that this specific project offers multiple benefits and will improve flooding concerns for neighbors.

Many neighbors spoke in opposition including Elizabeth Smith, Jessica Beasley, Heather Coppock, Randy Seal, Daniel Beasley, J. Lee Hammer, Tim Yancey, Jeremy Dean, Eleanor May, and Katherine Hensley, citing similar concerns related to stormwater runoff, fear of damaged wells or septic systems, decreased property values, viewshed impact, potential heat generated by panels, and some took issue with cutting down trees to install solar panels.

Chairman Ritchie closed the public hearing at 8:36 p.m.

Supervisor Breeden explained his intent to table the request until the May 10 Board meeting in order for Supervisor Kyger to be part of the decision.

On motion by Supervisor Breeden, seconded by Supervisor Chandler, and carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDEN – AYE ; CHANDLER – AYE; KYGER – ABSENT; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board tabled 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, to a date certain of May 10, 2023.

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**RECESS.**

Chairman Ritchie recessed the meeting at 8:42 p.m.

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**PUBLIC HEARING - SPECIAL USE PERMITS CONTINUED.**

At 8:45 p.m., Chairman Ritchie reopened the public hearing and Mr. Getz reviewed the following request:

SUP23-0329 Melanie Tomasi, 1838 Power Dam Road, McGaheysville, VA 22840, for event center located on the southwest side of the intersection of Power Dam Road (Route 651) and Cemetery Road (Route 843). Zoned A-1 (Prime Agricultural District). Tax Map #95-(A)- L94A. Election District 5.

The applicants were present. Mr. and Mrs. Tomasi provided a presentation detailing the plans for the proposed event center. Mr. Tomasi noted that his neighbor Rick Herring asked for certain conditions regarding the location of the event tent.

Following a discussion regarding the specifics of the special use permit, County Attorney Miller suggested tabling the request so that the applicant, his neighbor, and staff could draft the appropriate conditions.

No one spoke in opposition to the request.

Chairman Ritchie closed the public hearing at 9:03 p.m.

On motion by Supervisor Breeden, seconded by Supervisor Wolfe-Garrison, and carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDEN – AYE ; CHANDLER – AYE; KYGER – ABSENT; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board tabled SUP23-0329 Melanie Tomasi, 1838 Power Dam Road, McGaheysville, VA 22840, for event center located on the southwest side of the intersection of Power Dam Road (Route 651) and Cemetery Road (Route 843). Zoned A-1 (Prime Agricultural District). Tax Map #95-(A)- L94A. Election District 5. to a date certain of May 10, 2023.

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**REMOVAL FROM THE TABLE – SUP23-0164 BARBARA S. WHEATLEY.**

On motion by Supervisor Chandler, seconded by Supervisor Wolfe-Garrison, and carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – ABSENT; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board removed SUP23-0164 Barbara Wheatley from the table.

Supervisor Chandler recalled the request was tabled on April 12, to allow time for the applicant and staff to clarify the conditions of the permit. After further discussion, it was determined there were still details to be worked out.

On motion by Supervisor Chandler, seconded by Supervisor Breeden, and carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – ABSENT; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board, tabled SUP23-0164 Barbara S. Wheatley, 3436 Buffalo Drive, Rockingham VA, for an event center located on the east side of Buffalo Drive (Route 238) approximately 2.25 miles north of Smithland Road (Route 720). Zoned A-2 (General Agricultural). Tax Map #95-(5)- L2A. Election District 3, to a date certain of May 10, 2023.

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**RESOLUTION FOR SUPPORT AND AUTHORIZATION FOR VIRGINIA OPIOID AUTHORITY COOPERATIVE PARTNERSHIP APPLICATIONS.**

Assistant County Administrator Davidson presented two resolutions for consideration.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Breedon, and carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDON – AYE; CHANDLER – AYE; KYGER – ABSENT; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board adopted the two following resolutions:

**RESOLUTION  
AUTHORIZING THE GOLD STANDARD INCENTIVE  
FROM THE VIRGINIA OPIOID ABATEMENT AUTHORITY**

WHEREAS, the County of Rockingham Board of Supervisors seeks to mitigate and abate the impacts of the opioid epidemic in Rockingham County; and

WHEREAS, the mission of the Virginia Opioid Abatement Authority (OAA) is to abate and remediate the opioid epidemic in the Commonwealth through financial support in the form of grants, donations, or other assistance; and

WHEREAS, the OAA has invited each city and county in Virginia to submit proposals for grants to support efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in the Commonwealth; and

WHEREAS, the financial assistance offered by the OAA is needed to provide opioid mitigation and abatement efforts in Rockingham County; and

WHEREAS, the County of Rockingham voluntarily agrees to meet the OAA’s “Gold Standard” requirements in return for a 25% increase in OAA funding eligibility during Fiscal Years 2023 and 2024.

NOW, THEREFORE, BE IT RESOLVED, the County of Rockingham Board of Supervisors hereby authorizes the County Administrator to execute the Incentive application to the Virginia Opioid Abatement Authority, and to execute all documents in connection therewith.

Adopted this 26th day of April 2023.

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**RESOLUTION FOR SUPPORT AND AUTHORIZATION  
FOR VIRGINIA OPIOID AUTHORITY COOPERATIVE PARTNERSHIP  
APPLICATIONS**

WHEREAS, the mission of the Virginia Opioid Abatement Authority (OAA) is to abate and remediate the opioid epidemic in the Commonwealth through financial support in the form of grants, donations, or other assistance; and

WHEREAS, the OAA operates a financial assistance program to support certain cooperative partnerships of cities and/or counties in Virginia that implement regional efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids; and

WHEREAS, Rockingham County and the City of Harrisonburg have committed to work together to develop and jointly submit applications for regional cooperative partnership funding from the OAA for the following projects:

- Enhance and expand the capacity of the regional mental health Crisis Intervention Team Assessment Center (CITAC); and
- Maintain and enhance the regional Crisis Response Unit (CRU) consisting of a certified mental health clinician and a Rockingham County Sheriff’s Deputy; and

WHEREAS, Rockingham County agrees it will execute a legally binding agreement formalizing the cooperating partnership with the City of Harrisonburg if the application for financial assistance is approved; and

WHEREAS, Rockingham County agrees that it will serve as the fiscal agent for the cooperative partnership if it is awarded; and

WHEREAS, the City of Harrisonburg and Rockingham County seek a total of \$85,000 for the CITAC project and \$150,000 for the CRU project in cooperative partnership grant funding



from the OAA for Fiscal Year 2024.

WHEREAS, the City of Harrisonburg has committed to allocate \$19,632 of its Individual Distribution from the OAA to the CITAC project and \$39,264 of its Individual Distribution from the OAA to the CRU project for Fiscal Year 2024.

WHEREAS, the County of Rockingham has committed to allocate \$19,632 of its Direct Distribution to the CITAC project and \$39,264 of its Direct Distribution to the CRU project for Fiscal Year 2024.

NOW, THEREFORE, BE IT RESOLVED, the Rockingham County Board of Supervisors hereby authorizes Rockingham County to act as fiscal agent and to execute the cooperative partnership grant application to the Virginia Opioid Abatement Authority and to execute all documents in connection therewith.

Adopted this 26th day of April 2023.

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**ASSISTANT COUNTY ADMINISTRATOR FOR FINANCE AND OPERATIONS.**

Mrs. Davidson reported staff received one response to the Invitation to Bid (ITB) for the Three Springs Waste Treatment Plant third well project. Staff reviewed the bid and recommended awarding a contract to Sydnor Hydro, Inc. for a total project cost of \$843,073.61.

On behalf of the Finance Committee, on motion by Supervisor Chandler, seconded by Supervisor Breeden, and carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – ABSENT; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board awarded Sydnor Hydro, Inc. the contract for the Three Springs Water Treatment Plant project for a third well for a total project cost of \$843,073.61.

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**COMMUNITY DEVELOPMENT STAFF REPORT.**

By a consensus of Board members, staff received approval to draft an ordinance amendment to remove “story” from chapter 17 definitions since the term is not referred to anywhere else in the zoning ordinance. The zoning ordinance addresses building height as “the measured vertical distance from the highest point of the roof,” not referring anywhere to stories. Additionally, staff received approval to amend the definition of “basement” in order to be consistent with the Virginia State Building Code.

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**COMMITTEE APPOINTMENT.**

Assistant County Administrator Armstrong reported that the Shenandoah Valley Partnership (SVP) requested he be reappointed to serve another two-year term on the SVP. Chairman Ritchie agreed and appointed Mr. Armstrong to represent the County on the SVP board.

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**CLOSED MEETING.**

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Chandler, and carried by a roll call vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – ABSENT; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board recessed the meeting from 9:50 p.m. to 10:06 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; and 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 CHANDLER

RESOLUTION NO: 23-08

SECOND: SUPERVISOR WOLFE-GARRISON

MEETING DATE: April 26, 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, RITCHIE, WOLFE-GARRISON

NAYS: NONE

ABSENT: KYGER

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**ADJOURN.**

Chairman Ritchie declared the meeting adjourned at 10:06 p.m.

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Chairman