

May 11, 2022

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, May 11, 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
- MICHAEL A. BREEDEN, Election District #5

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

Also present:

BRYAN F. HUTCHESON, Sheriff

- STEPHEN G. KING, County Administrator
- THOMAS H. MILLER, JR., County Attorney
- CASEY B. ARMSTRONG, Assistant County Administrator for Development
- RHONDA H. COOPER, Director of Community Development
- JENNIFER J. MONGOLD, Director of Human Resources
- ROSS C. MORLAND, Director of Engineering
- TERRY M. PERRY, Director of Technology
- PHILIP S. RHODES, Director of Public Works
- JEREMY C. HOLLOWAY, Fire & Rescue Chief
- KIRBY W. DEAN, Director of Parks & Recreation
- ANN MARIE RITCHIE, Director of Court Services
- RACHEL A. SALATIN, Deputy Director of Community Development
- KELLY S. GETZ, Zoning Administrator
- 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.

Chair Wolfe-Garrison called the meeting to order at 3:00 p.m.

Supervisor Chandler provided the Invocation and Director of Community Development Cooper led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

On motion by Supervisor Chandler, seconded by Supervisor Ritchie, and carried by a 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 April 27, 2022 meeting.

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PROCLAMATION – DEMENTIA FRIENDLY COMMUNITY.

Administrator King read a proclamation, which Chair Wolfe-Garrison presented to Beth Bland, Director of Senior Services, Harrisonburg-Rockingham County and Director of Development for Valley Program for Aging Services, and Joyce Nussbaum, Valley Program for Aging Services Programs Director, proclaiming Rockingham County as a Dementia Friendly Community.

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PRESENTATION – ASSET LIMITED, INCOME CONSTRAINED EMPLOYED (ALICE) FAMILIES WITH CHILDREN.

Jo Benjamin, Director of Community Impact for the United Way of Harrisonburg and Rockingham County, introduced Amanda Leech, who was recently promoted to serve as the Executive Director of the United Way of Harrisonburg and Rockingham County.

Ms. Benjamin provided statistics regarding families with children living in Asset Limited, Income Constrained Employed (ALICE) households in Rockingham County. She indicated 10 percent of the households in the County are below the Federal poverty level, and 26 percent of households in the County fall within the ALICE population, which is above the Federal poverty level, but those citizens do not earn enough to cover their basic costs of living. Ms. Benjamin went onto say 36 percent of the population (approximately 11,000 households) in Rockingham County fall below the ALICE threshold.

In response to questions from Administrator King, Ms. Benjamin explained that ALICE households are specific to the geographic area where people live, while the Federal poverty level is the same in all states across the United States, except for Alaska and Hawaii. Ms. Benjamin noted the Federal poverty level for a single adult is approximately \$12,000 in annual income, while the ALICE annual income for a single adult is approximately \$24,000.

In response to questions from Supervisor Ritchie and Chair Wolfe-Garrison, Ms. Benjamin indicated her presentation was based on 2018 census data. She said 2020 census information will be included in statistics released in the summer of 2023. Ms. Benjamin noted all ALICE households may not have responded to the census for inclusion in the data.

Seventy-five percent of ALICE households rent their residences, which is becoming more difficult because property owners require tenants to cover three months of rent. Ms. Benjamin indicated 99 percent of ALICE households in Virginia are rent burdened, which means more than 30 percent of their income is spent on housing.

Ms. Benjamin said Church World Services helps immigrants and refugees obtain jobs, and local poultry plants provide jobs and assistance to their employees. She stated donations were made to the United Way through the Great Community Give, and other non-profit organizations in Harrisonburg and Rockingham County assist families in need.

Ms. Benjamin closed by indicating the United Way relies on partnerships in the community; they focus on childcare partners and organizations that serve families with children.

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TRANSPORTATION DEPARTMENT.

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

Mr. Komara said a public hearing regarding the widening of Interstate 81 between mile markers 242 and 248 is scheduled on June 28, 2022 from 4 p.m. to 7 p.m. at Pleasant Valley Elementary School. He indicated a roundabout will be considered at the intersection

of Early Road and Pleasant Valley Road (Route 679), near the Tenneco/Walker Manufacturing entrance.

The public hearing for the VDOT Secondary Six-Year Plan for Fiscal Years 2022-2023 through 2027-2028, and the proposed Secondary System Construction Budget for Fiscal Year 2022-2023 will be held at the May 25, 2022 Rockingham County Board of Supervisors meeting, Mr. Komara said.

Mr. Komara advised that paving work will begin on Interstate 81 South from mile marker 251 to mile marker 248 and from mile marker 241 to mile marker 239, starting on May 15, 2022. There will be occasional on- or off-ramp closures at interchanges in the work zones, Mr. Komara said. Paving crews will alternate working on one lane at a time from 8 p.m. until 7 a.m.

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INTRODUCTION OF STUDENT.

A student from Turner Ashby High School introduced himself to the Board.

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REPORT ON CRIMINAL JUSTICE EFFORTS.

Criminal Justice Planner S. Frank Sottaceti presented numerous graphs providing a variety of statistics, including 10-year trends for drug seizures and arrests, crime rates, incarceration rates for Middle River Regional Jail partner localities; and community crime rates by jurisdiction over the last five years. Mr. Sottaceti noted the statistics pertain to Rockingham County and localities within the County.

Mr. Sottaceti reported there has been a dramatic increase in amphetamine and methamphetamine use in the community. Another major concern is the increase in the use of firearms over the last ten years.

He noted the incarceration rate in Rockingham County and Harrisonburg is lower than the other Middle River Regional Jail (MRRJ) partners; crime rates have increased significantly in Staunton, Waynesboro, and Augusta County.

Mr. Sottaceti reported that Rockingham County and Harrisonburg Court Services provides twenty-one alternative programs to incarceration, and more programs will be offered in the future.

He briefly reviewed the Rockingham-Harrisonburg Community Criminal Justice Board (RHCCJB) Bylaws, which were recently revised, adopted by the CCJB, and ratified by the County and City. The updated bylaws formalize the way committees are formed and led. Mr. Sottaceti said an application process was formalized to align the RHCCJB with other Boards and committees.

CCJB, proposed a Public Defender's Office Committee be established to ascertain if such an office would be feasible in Rockingham County and Harrisonburg. On April 4, 2022, the CCJB approved the creation of the Public Defender's Office Committee to provide recommendations for a Public Defender's Office, Mr. Sottaceti noted. Mr. Hart is the Chair of the area Defense Bar, and he previously indicated there would be a deficit of defense attorneys in the future.

Mr. Hart is willing to collaborate with the Committee to determine if a Public Defender's Office is viable. Mr. Sottaceti emphasized this would not be a simple process because if the Committee recommends a Public Defender's Office be formed, it could take five or six years to establish the office due to funding and State requirements. The creation of such an office will involve numerous committees and people, including the Community Criminal Justice Board, Board of Supervisors, City Council, the Commonwealth, Delegate Wilt, Senator Obenshain, and others.

Administrator King noted that a Public Defender’s Office comes with local expenses to maintain staff and provide fair compensation. Attorney Miller said court-appointed attorneys receive \$400 for an entire defense case, but public defenders cannot afford to present a defense case for that amount of money.

Mr. Sottaceti noted Rockingham County has the largest population of any locality in Virginia that does not currently have a Public Defender’s Office.

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RECESS MEETING.

At 4:35 p.m., Chair Wolfe-Garrison declared a brief recess.

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RESUME MEETING.

At 4:44 p.m., Chair Wolfe-Garrison resumed the Board meeting.

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COUNTY ADMINISTRATOR.

Administrator King indicated the County is waiting on a Broadband Agreement from the State.

He reported that citizens have expressed concerns to Mr. Dean about not providing tackle football for middle school students this year. Due to previous concerns, Parks and Recreation does not plan to change that decision, he said.

Administrator King noted County staff met with VDOT to discuss proposed projects and designs for Smart Scale funding at various intersections along Spotswood Trail (Route 33). The County will proceed with the application for funding based on VDOT’s recommendation. The design includes the intersection of East Side Highway (Route 340) and Island Ford Road (Route 649), which the County considers a high priority due to accidents that have occurred at that intersection.

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ASSISTANT COUNTY ADMINISTRATOR FOR DEVELOPMENT.

The Board received and reviewed Mr. Armstrong’s staff report dated May 11, 2022.

Mr. Armstrong recalled that Paul Wiseman resigned from the Economic Development Authority (EDA) and recommended Wade Robinson for appointment to the EDA as the District 2 representative.

On behalf of Chair Wolfe-Garrison, on motion by Supervisor Chandler, seconded by Supervisor Ritchie, 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 appointed Wade Robinson to serve as the District 2 representative on the EDA.

Mr. Armstrong reported that Rockingham Cooperative is undertaking a major expansion of the Dayton Mill and applied for an Agriculture & Forestry Industries Development (AFID) grant. Rockingham Cooperative plans to hire eight new employees, and purchase \$11.5 million in new Virginia products for a total investment of \$16.7 million.

The Virginia Department of Agriculture is willing to contribute up to \$100,000, with the County providing a \$100,000 match.

Chair Wolfe-Garrison indicated Rockingham Cooperative has expanded in the last 10 to 15 years and is currently the largest mill in the mid-Atlantic, with a massive coverage area. They hope to significantly increase the volume of products sold. Since Rockingham Cooperative’s tractor trailers back up on John Wayland Highway (Route 42) to access the mill, the Coop purchased land behind the mill so trucks can move off Route 42, while waiting to access the mill.

On motion by Supervisor Ritchie, 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 approved funding up to \$100,000 if Rockingham Cooperative is awarded the AFID grant.

Mr. Armstrong will inform Rockingham Cooperative about the grant and matching funds.

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ASSISTANT COUNTY ADMINISTRATOR FOR FINANCE & OPERATIONS.

The Board received and reviewed Mrs. Davidson’s staff report dated May 11, 2022.

Speaking on behalf of Mrs. Davidson, who was attending a Government Finance Officers Association (GFOA) meeting, Mrs. Mongold informed the Board that LD&B Insurance and Financial Services, the current flexible spending account administrator for the County and Schools, will discontinue flexible spending accounts at the end of the plan year.

Ten responses were received to a Request for Proposals (RFP) from firms authorized to conduct business and provide flexible account administration services in the State of Virginia. County and School representatives interviewed the three top candidates and recommended the Board award the contract for administration of the County and School flexible spending accounts to Flexible Benefit Administrators, effective October 1, 2022.

By consensus of the Board, the contract for administration of the County and School flexible spending accounts was awarded to Flexible Benefit Administrators, as presented by Mrs. Mongold. The contract will be effective October 1, 2022.

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PUBLIC WORKS DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mr. Rhodes’ staff report dated May 11, 2022.

Mr. Rhodes reported one bid was received for a 30-foot by 35-foot expansion to the County Garage. The County budgeted \$150,000 for the addition, but the bid from Harrisonburg Construction was \$246,000.

Administrator King said the garage addition has been under consideration for several years. He noted the mechanics at the County Garage perform an excellent job and should have an efficient work area, but said the bid was high for a small project with few changes.

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RECESS.

Chair Wolfe-Garrison recessed the meeting for dinner at 5:01 p.m.

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PUBLIC HEARING – SPECIAL USE PERMIT.

At 6:00 p.m., Chair Wolfe-Garrison opened the public hearing and Zoning Administrator Getz reviewed the following special use permit request:

SUP22-1143 Wesley Bare, 13872 Bares Auto Drive, Fulks Run, for an auto repair shop located on the north side of Brocks Gap Road (Route 259) approximately one hundred feet east of Turleytown Road (Route 613). Zoned A-2 (General Agricultural). Tax Map #38-(A)- L12. Election District 1.

The applicant was present and informed the Board that he wants to open a garage so he can provide automobile maintenance. Mr. Bare said he applied for an inspection license for the business.

No members of the public spoke regarding the request.

At 6:02 p.m., Chair Wolfe-Garrison closed the public hearing.

On motion by Supervisor Ritchie, 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 approved SUP22-1143, Wesley Bare, 13872 Bares Auto Drive, Fulks Run, for an auto repair shop located on the north side of Brocks Gap Road (Route 259) approximately one hundred feet east of Turleytown Road (Route 613). Zoned A-2 (General Agricultural). Tax Map #38-(A)- L12. Election District 1.

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INTRODUCTION OF STUDENTS.

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

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REMOVAL FROM TABLE – SUP22-1126, HUBER GROUP, LLC.

Supervisor Chandler stated he would like to remove special use permit SUP22-1126 for Huber Group, LLC from the table.

On motion by Supervisor Chandler, seconded by Supervisor Ritchie 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 from the table, SUP22-1126, Huber Group, LLC, PO Box 730, Windermere, FL 34786, for a climate controlled mini storage facility located on the north side of Spotswood Trail (Route 33) south of Rockingham Park Way (Private). Zoned B-1 (General Business). Tax Map 126-(2)- LA4A. Election District 3.

Supervisor Chandler noted he had conversations with Zoning Administrator Getz and Carl Snyder from Valley Engineering regarding questions raised at the April 27, 2022 public hearing for Huber Group LLC. Supervisor Chandler stated he was satisfied with the clarification of questions regarding the vegetative screening and structure of the building.

Supervisor Chandler made a motion, seconded by Supervisor Breedon to approve SUP22-1126 for Huber Group, LLC.

Administrator King requested assurance from Mr. Getz that the conditions are clear, and everyone is aware of the expectations. Mr. Getz stated that approval of the special use permit with the amended site plan Mr. Snider provided earlier in the day, shows screening

along the small storage units to the rear. Mr. Getz indicated he sent the amended site plan to the Board members.

Attorney Miller confirmed that everyone involved understood that the site plan dated 5/11/2022 is part of the special use permit. Mr. Getz replied that everyone understands the site plan is part of the special use permit.

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, with the following conditions, approved SUP22-1126, Huber Group, LLC, PO Box 730, Windermere, FL 34786, for a climate controlled mini storage facility located on the north side of Spotswood Trail (Route 33) south of Rockingham Park Way (Private). Zoned B-1 (General Business). Tax Map 126-(2)- LA4A. Election District 3.

CONDITIONS:

1. Use shall be in substantial accordance with the revised site plan dated May 11, 2022.
2. The use and structure shall comply with all applicable federal, state, and local regulations.

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ADJOURNMENT.

Chair Wolfe-Garrison declared the meeting adjourned at 6:08 p.m.

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Chair