

June 8, 2022

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, June 8, 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:

- BRYAN F. HUTCHESON, Sheriff
- STEPHEN G. KING, County Administrator
- CASEY B. ARMSTRONG, Assistant County Administrator for Development
- RHONDA H. COOPER, Director of Community Development
- KIRBY W. DEAN, Director of Parks & Recreation
- ANN MARIE RITCHIE, Director of Court Services
- JENNIFER J. MONGOLD, Director of Human Resources
- ROSS C. MORLAND, Director of Engineering
- TERRI M. PERRY, Director of Technology
- PHILIP S. RHODES, Director of Public Works
- KELLY S. GETZ, Zoning Administrator
- JESSICA G. KILBY, Deputy Clerk
- DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation
- C. BURGESS LINDSEY, Assistant Residency Administrator
Virginia Department of Transportation

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CALL TO ORDER
PLEDGE OF ALLEGIANCE
INVOCATION.

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

Supervisor Kyger provided the invocation, and Assistant County Administrator Armstrong led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

On motion by Supervisor Kyger, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved the minutes of the regular meeting of May 25, 2022.

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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. Board members shared concerns related to County roads and provided maintenance requests.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

Ms. Cooper provided an update on the actions of the Planning Commission at its meeting of June 7, 2022. She indicated two requests were tabled, OA22-1307 and REZ22-1161.

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TECHNOLOGY DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Perry's staff report.

Mrs. Perry provided draft technology policies which included a proposed Technology Incident Response Plan, Technology Business Continuity Plan, and Technology Disaster Recovery Plan. She explained that technology staff worked with consultants from Sycom Technologies, along with County Department Heads and Constitutional Officers to create the draft policies. The drafts were then reviewed by the Technology Committee. Mrs. Perry recommended the Board act on the proposed plans by the end of June. The policies are required to be reviewed every year; however, changes must be made as the need arises based upon cybersecurity guidelines.

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COMMITTEE REPORTS.

SOCIAL SERVICES

Supervisor Breeden reported there are several vacancies on the Social Services Advisory Board.

VIRGINIA ASSOCIATION OF COUNTIES (VACo)

Supervisor Kyger reminded Board members of the following upcoming meetings:

National Association of Counties (NACo) Annual Conference
July 21-24, Adams County, Colorado

County Officials' Summit
August 18, Roanoke County

VACo Summer Board of Directors
August 19, Roanoke County

VACo Annual Conference
November 13-15, City of Richmond

CHAIR

Supervisor Wolfe-Garrison announced that the Board of Supervisors will hold a Work Session on Monday, June 13, 2022, from 9 a.m. to 2 p.m. in the Fire and Rescue Training Room at the County Administration Center. No action will be taken at the work session.

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COMMITTEE APPOINTMENTS.

COMMUNITY SERVICES BOARD (CSB)

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 Daniel Robinson and Craig Anders to serve on the Community Services Board for a three-year term expiring June 30, 2025.

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OTHER

Supervisor Ritchie reminded Board members and staff of a forthcoming proposed ordinance regulating the use of commercial dog kennels in the County. The proposed ordinance will be presented to the Planning Commission in July 2022.

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RECESS.

Chair Wolfe-Garrison recessed the meeting for dinner at 3:51 p.m.

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RECONVENE.

At 6:00 p.m., Chair Wolfe-Garrison reconvened the meeting.

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SPECIAL USE PERMITS REMOVED FROM THE TABLE.

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 removed SUP21-330, Redeemer Classical School from the table.

Zoning Administrator Getz reported that the applicant had worked with staff and VDOT to provide a solution to the traffic concerns expressed during the public hearing. Mr. Getz reviewed the proposal, which he said would be included as conditions of the permit, if approved.

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 SUP21-330 for Redeemer Classical School, PO Box 737, Harrisonburg, VA, for an addition to a school located on the east side of Indian Trail Road (Route 717) north of Mountain Valley Road (Route 620).

Operation of the building or use of the land shall be commenced within two (2) years of the date of approval unless otherwise provided in the conditions of the permit. For the purposes of this section, commencement is considered as the inspection and approval of the footers and foundation of a new or enlarged structure or, for renovations, the inspection and approval of the framing, wiring, and plumbing, of an existing structure. A certificate of occupancy must be obtained within two (2) years of the commencement date. For uses not involving a structure, the use shall be commenced within two (2) years from the date of approval of the special use permit. The zoning administrator may grant a one-time extension of two (2) years. Failure to

meet these requirements results in the voiding of the permit, and reapplication shall be required.

This permit is subject to all conditions and requirements of the Rockingham County Code now in effect and to any additional conditions imposed by the Board of Supervisors.

CONDITIONS:

1. Use shall be in substantial accordance with the site plan submitted with the application.
2. The use and structure shall comply with all applicable federal, state, and local regulations.
3. Pending approval by VDOT, the applicant shall install* and maintain a School Zone Speed Limit Area along Mountain Valley Road. The area shall be demarcated by a flashing-beacon sign assembly that meets VDOT standards and shall be placed in the locations approved by VDOT. If VDOT does not approve the School Zone Speed Limit area this condition becomes null and void.
4. No phase of the project shall be commenced until the Virginia Department of Transportation has reviewed traffic conditions and gives approval of the site plan for that specific phase. (See amended scaled drawing dated 5/2/22 for phases.)
5. Applicant shall install a sign that states "do not block driveway" along Mountain Valley Road at a location to be shown on an approved site plan.

*VDOT may, at their discretion, provide assistance on the installation.

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 removed SUP22-1211, Eric McKee from the table.

Mr. Getz reported that after the request was tabled, the applicant met with staff, VDOT and the Fire Marshal to remedy concerns cited during the public hearing, which, shall be included in an updated site plan.

On motion by Supervisor Chandler, 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, subject to the following, approved SUP22-1211, Eric McKee, 4700 Gloucester Road, Alexandria, VA, for a private school located on the west side of Mountain Valley Road (Route 620) north of Beulah Road (Route 719). Zoned A-2 (General Agricultural). Tax Map #111-(A)- L6A. Election District 3.

Operation of the building or use of the land shall be commenced within two (2) years of the date of approval unless otherwise provided in the conditions of the permit. For the purposes of this section, commencement is considered as the inspection and approval of the footers and foundation of a new or enlarged structure or, for renovations, the inspection and approval of the framing, wiring, and plumbing, of an existing structure. A certificate of occupancy must be obtained within two (2) years of the commencement date. For uses not involving a structure, the use shall be commenced within two (2) years from the date of approval of the special use permit. The zoning administrator may grant a one-time extension of two (2) years. Failure to meet these requirements results in the voiding of the permit, and reapplication shall be required.

This permit is subject to all conditions and requirements of the Rockingham County Code now in effect and to any additional conditions imposed by the Board of Supervisors.

CONDITIONS:

1. Use shall be in substantial accordance with the site plan submitted with the application.
2. The use and structure shall comply with all applicable federal, state, and local regulations.
3. The applicant shall submit an updated site plan to the Department of Community Development for review and approval by all pertinent offices and agencies. No permits shall be issued until the site plan is approved.
4. There shall be a maximum of twenty (20) students and four (4) employees including the applicants.

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PUBLIC HEARING – SPECIAL USE PERMIT.

At 6:09 p.m., Chair Wolfe-Garrison opened the public hearing and Zoning Administrator Getz reviewed the following special use request:

SUP22-1239 L. E. Myers Co, 1201 Mountain Road, Glen Allen, VA, for a parking facility located on the north side of Brocks Gap Road (Route 259) approximately 1500 feet west of Hopkins Gap Road (Route 612). Zoned RV (Rural Village District). Tax Map #37-(A)- L4B. Election District 1.

Mr. Getz pointed out that upon completion of the project, the property would return to its prior state and the permit would be terminated, which he said the applicants agreed to make a part of the conditions, if the request is approved.

Speaking on behalf of the applicant, Matt Hastings said the gravel lot will be used exclusively for contactors to park their vehicles and equipment during the project. He said once the project is complete, he understands the permit will be vacated.

No public comments were received.

At 6:17 p.m., Chair Wolfe-Garrison closed the public hearing.

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, subject to the following conditions, approved SUP22-1239 L. E. Myers Co, 1201 Mountain Road, Glen Allen, VA, for a parking facility located on the north side of Brocks Gap Road (Route 259) approximately 1500 feet west of Hopkins Gap Road (Route 612). Zoned RV (Rural Village District). Tax Map #37-(A)- L4B. Election District 1.

Operation of the building or use of the land shall be commenced within two (2) years of the date of approval unless otherwise provided in the conditions of the permit. For the purposes of this section, commencement is considered as the inspection and approval of the footers and foundation of a new or enlarged structure or, for renovations, the inspection and approval of the framing, wiring, and plumbing, of an existing structure. A certificate of occupancy must be obtained within two (2) years of the commencement date. For uses not involving a structure, the use shall be commenced within two (2) years from the date of approval of the special use permit. The zoning administrator may grant a one-time extension of two (2) years. Failure to meet these requirements results in the voiding of the permit, and reapplication shall be required.

This permit is subject to all conditions and requirements of the Rockingham County Code now in effect and to any additional conditions imposed by the Board of Supervisors.

CONDITIONS:

1. Use shall be in substantial accordance with the site plan submitted with the application.
2. The use and structure shall comply with all applicable federal, state, and local regulations.
3. This special use permit is issued so that the applicant and property owner may perform the attached lease between Gary L. Custer and L.E. Myers, dated December 15, 2021, and for no other purpose. When performance of the Lease ceases for any reason, including but not limited to, termination by the parties for any reason or by any mechanism, this special use permit shall also be abandoned, vacated, and terminated thereby and the property restored to its original condition.

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ADJOURN.

Chair Wolfe-Garrison declared the meeting adjourned at 6:19 p.m.

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Chairman