

June 22, 2022

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, June 22, 2022, 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:

- STEPHEN G. KING, County Administrator
- THOMAS H. MILLER, JR., County Attorney
- CASEY B. ARMSTRONG, Assistant County Administrator for Development
- PATRICIA D. DAVIDSON, Assistant County Administrator for Finance & Operations
- RHONDA H. COOPER, Director of Community Development
- TERRI M. PERRY, Director of Technology
- PHILIP S. RHODES, Director of Public Works
- RACHEL A. SALATIN, Assistant Director of Community Development
- DYLAN L. NICELY, Land-Use Planner
- KAYLA R. YANKEY, Land-Use Planner
- TAMELA S. GRAY, Deputy Clerk
- MOLLY S. BARNETT, Executive Assistant

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

Chair Wolfe-Garrison called the meeting to order at 6:00 p.m.

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

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**INTRODUCTION.**

Chair Wolfe-Garrison introduced Molly Barnett, who was recently hired as an Executive Assistant in the Administration/Legal Department. Mrs. Barnett will be training over the next few months to serve as a Deputy Clerk to the Board of Supervisors.

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**APPROVAL OF MINUTES.**

On motion by Supervisor Ritchie, seconded by Supervisor Chandler, and carried by a roll call vote of 5-0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved the minutes of the June 8, 2022 meeting.

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**ADOPTION AND APPROPRIATION OF THE FY23 BUDGET.**

Assistant County Administrator for Finance & Operations Davidson recalled that during the April 13, 2022 Board Meeting, County Administrator King presented a proposed budget of \$448,139,921 for the fiscal year commencing July 1, 2022, which included a General Fund of \$167,882,559. She noted the State recently settled on Compensation Board recommendations, the County received sales tax revenue estimates, implemented some changes recommended by the Board at the June 13, 2022 Work Session, and there was a reduction to the budget, which resulted in a General Fund of \$167,778,269.

Mrs. Davidson stated the amount recommended for adoption in the budget is \$448,073,590, which permits the finance department to carry forward previously identified purchase orders and capital projects. Appropriations for those items will not be brought to the Board for approval since they will have already been completed.

Chair Wolfe-Garrison noted that she and Supervisor Chandler met with the County’s auditors, who were very complementary of the County’s checks and balances.

On behalf of the Finance Committee, on motion by Supervisor Chandler, seconded by Supervisor Kyger, and carried by a roll call vote of 5-0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved the outlined changes to the fiscal year 2023 budget.

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**COUNTY ATTORNEY.**

Mr. Miller said a public hearing will be advertised for the July 13, 2022 Board meeting, regarding a new polling location in Election District 3.

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**ASSISTANT COUNTY ADMINISTRATOR FOR DEVELOPMENT.**

Mr. Armstrong introduced *Daily News-Record* Reporter Kamryn Koch. Ms. Koch will cover the Harrisonburg City Council Meetings and fill in for Kellen Stepler as needed.

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

The Board received and reviewed Mrs. Davidson’s staff report dated June 22, 2022.

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**FINANCE COMMITTEE REPORT.**

**FY2021-2022 Supplemental Appropriation**

**Schools Appropriation**

Mrs. Davidson noted that Schools requested an additional \$150,000 appropriation from the FUND Reserve for architectural services for the Broadway High School addition in FY2022.

On behalf of the Finance Committee, on motion by Supervisor Chandler, seconded by Supervisor Kyger, and carried by a roll call vote of 5-0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved the following appropriation:

Supplemental Appropriation: \$150,000

\$150,000	2103-00000-25201-000-500091-000	FUND Reserve
\$150,000	2103-66600-00000-301-603100-010	BHS

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**American Rescue Plan Appropriation**

The County received \$15.9 million from the American Rescue Plan Act (ARPA) of 2021. Mrs. Davidson noted that funds in the amount of \$10 million can automatically go to revenue loss.

Mrs. Davidson requested that an appropriation in the amount of \$4 million be included in the FY2022 budget to be recognized as revenue losses in this fiscal year.

On behalf of the Finance Committee, Supervisor Chandler made a motion, seconded by Supervisor Breeden, to approve a supplemental appropriation in the amount of \$4.0 million from the American Rescue Plan Appropriation (ARPA).

In response to a question from Supervisor Ritchie, Mrs. Davidson explained the \$4 million is from the 2022 fiscal budget but will be used for past expenses and as a credit to Fire and Rescue salaries to be recognized as a revenue loss in fiscal year 2022. Mrs. Davidson said there will be a public hearing in fiscal year 2023 to appropriate the remaining funds toward the broadband project and continue to recognize revenue loss in fiscal year 2023. There will be two appropriations, but Mrs. Davidson said the money needed to be appropriated in 2022 to recognize the amount of the rapid loss spent in 2022.

Mrs. Davidson said this will be a savings to fire and rescue salaries in fiscal year 2022 and added to the fund balance at the end of 2022. It is not an additional expenditure.

Mrs. Davidson said the County is able to put the money toward salaries and benefits for first responders because they were “hands on” during the entire COVID response. She noted fire and rescue salaries were used because fire and rescue staff were the most involved in emergency responses during the pandemic.

Carried by a roll call vote of 5-0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved the following supplemental appropriation:

Supplemental Appropriation: \$4,000,000

\$4,000,000	1213-00000-13900-000-339520-000	Federal ARPA Funding
\$4,000,000	1213-03205-00000-000-501100-000	Fire/EMS Salaries

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**COMMUNITY DEVELOPMENT DIRECTOR’S STAFF REPORT.**

The Board received and reviewed Ms. Cooper’s staff report dated June 22, 2022.

Ms. Cooper indicated Community Development staff has communicated with a consultant about updating the Comprehensive Plan and details regarding the timeline and cost are being discussed. Staff also talked with the Central Shenandoah Planning District Commission (CSPDC) about preparing the transportation portion of the Comprehensive Plan, since they are the most familiar with the County, know the roads well, and provide transportation work for the Metropolitan Planning Organization (MPO) and the Rural Transportation Program. The CSPDC has travel demand software and works closely with the Staunton District VDOT Office. County staff believes the CSPDC will provide the best product, Ms. Cooper said.

Ms. Cooper indicated the CSPDC provided a cost estimate, and Community Development staff would like the Board's support to have staff take another look at how the County compares, or if it compares. Staff hopes to sign a contract by the end of July 2022, Ms. Cooper said.

In response to a question from Chair Wolfe-Garrison regarding the estimated completion time, Ms. Cooper indicated the CSPDC is currently proposing a 22-month timeline, but they will attempt to shorten that timeframe.

In response to another question from Chair Wolfe-Garrison, Ms. Cooper noted if Community Development staff updates the Comprehensive Plan, it will take at least two or three employees away from their regular daily tasks.

Since the entire Comprehensive Plan is being restructured, Administrator King said he agrees with having a consultant prepare the Plan but indicated there is also value in having County staff, who have local knowledge involved. Mr. King informed the Board that by using a consultant with assistance from the CSPDC and County staff, the total cost of the project will amount to approximately \$200,000.

Ms. Cooper noted the remainder of the cost will be covered by the Metropolitan Planning Organization (MPO) and a rural transportation program. She indicated staff hopes to have a more technical document in order to analyze and predict the direct effect of the data as the County moves forward.

Supervisor Kyger commented that the community is changing rapidly, and more changes will occur in rural areas. Ms. Cooper stated the County needs to be proactive, rather than reactive.

In response to questions from Chair Wolfe-Garrison, Ms. Cooper indicated the County will be billed as sections of the project are completed. Staff will be tremendously engaged so the County receives the best possible Comprehensive Plan, Ms. Cooper said.

Supervisor Kyger pointed out that the Comprehensive Plan update will extend over two fiscal years. While the document will be technical and data-driven, he indicated it should not be too difficult for staff and citizens to read.

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By consensus, the Board authorized Community Development staff to work with a consultant to update the Comprehensive Plan, since the final proposed project will be provided to the Board for their input.

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**TECHNOLOGY DIRECTOR'S STAFF REPORT.**

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

Supervisor Kyger recommended that staff be allowed to make minor changes as needs arise. Mrs. Perry stated the policies will be reviewed by the auditors annually and brought before the Board for an annual approval.

On behalf of the Technology Committee, on motion by Supervisor Kyger, seconded by Supervisor Chandler, and carried by a roll call vote of 5-0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board adopted the Technology Incident Response Plan, Technology Business Continuity Plan, and Technology Disaster Recovery Plan Policies, and authorized staff to make minor changes as necessary. All changes are to be reviewed by the County Administrator, who will advise the Board of the changes.

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## **COMMITTEE REPORTS.**

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

### AIRPORT

Supervisor Kyger said he talked with Shenandoah Valley Regional Airport (SVRA) Commission Chairman Gerald Garber, who indicated there have been small disruptions, but passengers continue to travel from and to SVRA.

### CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION (CSPDC)

Chair Wolfe-Garrison reported the Planning District Commissions met June 21, 2022. A locality involved in the Roanoke-Allegheny Planning District Commission expressed interest in an affiliation with the Central Shenandoah Planning District Commission, because their locality is more aligned with the services and programs provided by the CSPDC than the Roanoke-Allegheny Planning District Commission. The Commissioners consented to that relationship with Allegheny County, Chair Wolfe-Garrison said. Ms. Cooper indicated Allegheny County will continue to be a member of the Roanoke-Allegheny Planning District Commission but will participate in services and programs provided by the CSPDC.

Chair Wolfe-Garrison indicated Ms. Cooper was re-elected to the CSPDC Executive Committee.

### COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)

Supervisor Chandler reported that the CCJB will meet July 11, 2022 and discuss the possibility of creating a CCJB subcommittee to study a Public Defender's Office. If the study is pursued, subcommittee members will speak with the Virginia Indigent Defense Commission, which establishes the salaries for defense attorneys. Supervisor Kyger requested that discussions be carefully vetted.

Supervisor Ritchie asked if the majority of the subcommittee members will be defense attorneys, and who will select the subcommittee members. Supervisor Chandler responded that subcommittee members have not been selected, but one defense attorney may serve on the subcommittee. As the CCJB Chair, Supervisor Chandler will appoint a subcommittee chair and other members may include a City representative, a citizen, and an advisory person, along with others.

### SHENANDOAH VALLEY PARTNERSHIP (SVP)

Mr. Armstrong announced that the SVP met last week for the Rockingham Co-op expansion project announcement, which Governor Youngkin attended.

### VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Supervisor Kyger indicated he will attend the NACo 2022 Annual Conference & Exposition July 21-24 and the VACo County Officials' Summer Summit on August 18, 2022.

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**RECESS.**

At 6:39 p.m., Chair Wolfe-Garrison recessed the meeting for a Lake Shenandoah Stormwater Control Authority meeting.

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**PUBLIC HEARING – ORDINANCE AMENDMENT.**

At 7:00 p.m., Chair Wolfe-Garrison opened the public hearing. Ms. Salatin reviewed the following:

OA22-1027 Rockingham County to Amend Chapter 17, Zoning Ordinance, Article 5, Overlay Districts, Section 502, Cross Keys Agricultural and Forestal District to renew for an additional seven years to expire on July 22, 2029. An addition of 7.061 acres, Tax Map #151-(A)- L86B, and a withdrawal of 94.335 acres, Tax Map #139-(A)- L135, adjusts the total acres in the Cross Keys Agricultural and Forestal District to 1,172 acres.

The Cross Keys Agricultural and Forestal District will expire July 22, 2022. Ms. Salatin indicated that during the renewal process, the County received one submission and one withdrawal request. If the ordinance is approved, it will be reviewed again in July 2029.

Ms. Salatin noted the districts are up for renewal every seven to ten years, at which time the properties are reviewed by an Ag and Forestal Advisory Committee. The Committee makes a recommendation to the Planning Commission, which provides a recommendation to the Board.

No one spoke regarding the ordinance amendment.

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At 7:07 p.m., Chair Wolfe-Garrison closed the public hearing.

On motion by Supervisor Chandler, seconded by Supervisor Ritchie, and carried by a roll call vote of 5-0, 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 17-502.02 and  
SECTION 17-502.04 OF  
THE CODE OF  
ORDINANCES  
OF  
ROCKINGHAM COUNTY,  
VIRGINIA**

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

**SEC. 17-502. CROSS KEYS AGRICULTURAL FORESTAL DISTRICT**

**That Section 17-502.02. "Description" be and hereby is repealed and re-enacted as follows:**

**Sec. 17-502.02. - Description.**

The Cross Keys Agricultural and Forestal district is comprised of 78 parcels spanning one thousand nine hundred seventy-two (1,972) acres centered at the intersection of Cross Keys Road (Route 276) and Pleasant Valley Road (Route 679). The northern boundary of the district abuts the Magnolia Ridge Subdivision; the southern boundary extends approximately one thousand (1,000) feet south of Shady Grove Road (Route 670). The western boundary extends approximately three thousand five hundred (3,500) feet west of the intersection of Cross Keys Road (Route 276) and East Timber Ridge Road (Route 668); the eastern boundary extends approximately two thousand five hundred (2,500) feet east of the intersection of Port Republic Road (Route 253) and Latimer Road (Route 672). The following parcels shown on county real estate maps, as of the effective date of the district, are numbered as:

126-(A)- L55, 139-(1)- L1, 139-(1)- L1A, 139-(3)- L8, 139-(3)- L9, 139-(A)- L114, 139-(A) L118, 139-(A)- L119, 139-(A)- L120B1, 139-(A)- L120B2, 139-(A)- L120B2A, 139-(A)- L146, 139-(A)- L147, 139-(A)- L148B, 139-(A)- L148F, 139-(A)- L149A, 139-(A)- L149B, 139-(A)- L150A, 139-(A)- L150A1, 139-(A)- L155, 139-(A)- L158, 139-(A)- L158A, 139-(A)- L160C, 139-(A)- L163, 139-(A)- L163B, 139-(A)- L168, 139-(A)- L168A, 139-(A)- L172, 139-(A)- L46, 139-(A)- L47C, 139-(A)- L52A, 139-(A)- L52B, 139-(A)- L52C, 139-(A)- L52D, 139-(A)- L53, 139-(A)- L55A, 139-(A)- L55A1, 139-(A)- L57, 139-(A)- L57A, 139-(A)- L57C, 139-(A)- L67, 139-(A)- L69, 139-(A)- L74B, 139A-(2)- LC, 140-(A)- L3, 140-(A)- L4, 140-(A)- L59, 140-(A)- L59A, 140-(A)- L62, 140-(A)- L63, 151-(5)- L1A, 151-(A)- L5, 151-(A)- L7, 151-(A)- L75, 151-(A)- L8, 151-(A)- L80, 151-(A)- L81, 151-(A)- L82, 151-(A)- L82A, 151-(A)- L82A1, 151-(A)- L86B, 151-(A)- L93, 151-(A)- L94, 151-(A)- L94A, 151-(A)- L9C, 152-(7)- L4, 152-(A)- L1, 152-(A)- L3, 152-(A)- L4, 152-(A)- L56, 152-(A)- L58, 152-(A)- L58E, 152-(A)- L6, 152-(A)- L61B, 152-(A)- L7, 152-(A)- L8, 152-(A)- L9, and 152-(A)- L9A.

**That Section 17-502.04. "Term Review" be and hereby is repealed and re-enacted as follows:**

**Sec. 17-502.04. - Term review.**

The district shall be in effect for seven (7) years, from July 22, 2022, to July 22, 2029. A review of the district, including any additions to the district, may be made by the Board of Supervisors as provided by, and in accordance with sections 15.2-4309 through 15.2-4312 of the Code of Virginia.

**All other portions of Section 17-502 are re-affirmed.**

This ordinance shall be effective from the 22<sup>nd</sup> day of June 2022.

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**PUBLIC HEARING – REZONING.**

At 7:08 p.m., Chair Wolfe-Garrison opened the public hearing and Land Use Planner Yankey reviewed the following rezoning request:

REZ22-1021 Great Eastern Waterpark, PO Box 6006 Charlottesville, VA. This is a request to merge the Village Festival and Water Park Master Plans into one Water Park Master Plan to include a 4-acre large-scale ground mount solar facility. The property is located on Adventure Drive, 0.2 mile southeast of the intersection of Bloomer Springs Road (Route 646) and Resort Drive (Route 644) and is zoned PCD (Planned Commercial Development). Tax Map #129-(A)- L27A, 129-(A)- L27 and 129-(A)- L45A. Election District 5.

Mrs. Yankey indicated the four-acre, large-scale ground-mounted solar facility will provide 25 to 30 percent of the energy needed for the water park.

Attorney Todd Rhea spoke on behalf of Great Eastern and was available to answer questions.

Mr. Rhea indicated the water park will be a fairly intensive energy user with many climate controls year-around, and pumps that provide water for the water slides and pools. He said the current building at the water park could not accommodate a roof-mounted solar array and noted the ground-mounted solar facility will not be visible from Resort Drive (Route 644).

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At 7:10 p.m., Chair Wolfe-Garrison closed the public hearing.

On motion by Supervisor Breeden, seconded by Supervisor Kyger, and carried by a roll call vote of 5-0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved REZ22-1021, Great Eastern Waterpark, PO Box 6006 Charlottesville, VA request to merge the Village Festival and Water Park Master Plans into one Water Park Master Plan to include a 4-acre large-scale ground mount solar facility. The property is located on Adventure Drive, 0.2 mile southeast of the intersection of Bloomer Springs Road (Route 646) and Resort Drive (Route 644) and is zoned PCD (Planned Commercial Development). Tax Map #129-(A)- L27A, 129-(A)- L27 and 129-(A)- L45A. Election District 5.

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**ADJOURNMENT.**

Chair Wolfe-Garrison declared the meeting adjourned at 7:11 p.m.

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Chair