

July 27, 2022

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, July 27, 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:

- BRYAN F. HUTCHESON, Sheriff
- STEPHEN G. KING, County Administrator
- THOMAS H. MILLER, JR., County Attorney
- CASEY B. ARMSTRONG, Assistant County Administrator for Development – arrived at 8:03 p.m.
- PATRICIA D. DAVIDSON, Assistant County Administrator for Finance & Operations
- RHONDA H. COOPER, Director of Community Development
- JEREMY C. HOLLOWAY, Fire & Rescue Chief
- JOSHUA J. GOODEN, Economic Development & Tourism Coordinator
- KELLY S. GETZ, Zoning Administrator
- DYLAN L. NICELY, Land-Use Planner
- KAYLA R. YANKEY, Land-Use Planner
- MOLLY S. BARNETT, Deputy Clerk
- DONALD F. KOMARA, 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 6:00 p.m.

Chair Wolfe-Garrison provided the invocation, and County Attorney Miller led the Pledge of Allegiance.

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**RESOLUTION – BROADWAY COMMUNITY POOL LIFEGUARDS.**

Lifeguards and representatives from Broadway Community Pool appeared with their family members. Chair Wolfe-Garrison thanked the lifeguards for their outstanding work handling a medical emergency at the pool. Supervisor Ritchie presented a framed resolution.

On motion by Supervisor Ritchie, seconded by Supervisor Kyger, 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 adopted the following resolution:

**RESOLUTION**

**WHEREAS**, serving as a lifeguard requires training, certification, and abilities that will hopefully never be required to be put into action; and

**WHEREAS**, on July 4, 2022, Malcolm Emswiler, Brookelyn Collins, and Makenna Hardy put their training into action at the Town of Broadway’s community pool, and as a team rescued a swimmer experiencing a medical emergency from the water; and

**WHEREAS**, upon pulling the unresponsive swimmer from the water, Malcolm Emswiler, without hesitation, began to administer rescue breathing, action that significantly improved the potential for a positive outcome; and

**WHEREAS**, those on duty that day, including pool manager Jill Showalter and lifeguards Addison Grout and Taylor Driver calmly worked to clear the pool and assist emergency responders; and

**WHEREAS**, these individuals when called upon to perform, did so as a team, without hesitation, with the highest level of professionalism, motivated by a desire to respond to someone in great need, which resulted in a positive outcome.

**NOW, THEREFORE, BE IT RESOLVED** that the Rockingham County Board of Supervisors, on behalf of the citizens of Rockingham County, does hereby express its great appreciation and gratitude to Malcolm Emswiler, Brookelyn Collins, Makenna Hardy, Jill Showalter, Addison Grout, and Taylor Driver for their collective response to a crisis and the impact that response had not only on the individual in crisis, but the pride that response brings to those privileged to call this great community home.

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**APPROVAL OF MINUTES.**

On motion by Supervisor Chandler, seconded by Supervisor Ritchie, 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 July 13, 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.

Supervisor Ritchie inquired if grading would allow for better drainage on Overly Hollow (Route 823). Mr. Komara stated VDOT will mitigate the issue with rock and dirt fill and by adding pipes.

Supervisor Kyger thanked Mr. Komara for meeting about ingress and egress for Bridgewater and how it affects Route 11 and I-81 in Mt. Crawford.

Supervisor Kyger brought up the spotted lanternfly issue. He noted cutting trees may be a necessary way to eradicate the pests.

Supervisor Wolfe-Garrison stated the bike and buggy lane on Route 42 needs to be cleaned.

**RESOLUTIONS OF SUPPORT FOR SMART SCALE APPLICATIONS.**

Supervisor Wolfe-Garrison reviewed proposed Smart Scale projects for application.

Supervisor Ritchie inquired if the Board would still have a say in design after endorsing the projects. Mr. Komara confirmed VDOT would hold a public hearing.

Brad Reed, VDOT Staunton District Planner, clarified the application process and timeline for Smart Scale projects. Applications are due August 1, followed by a validation period, with decisions as to scoring and recommended funding around January 2023. The Commonwealth Transportation Board will then have several months to decide on final recommended project lists. Engineering would start in 2025, right-of-way acquisition around 2027 and construction starting around 2029, he said.

On motion by Supervisor Breeden, seconded by Supervisor Ritchie, 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:

**RESOLUTION  
ENDORISING THE SUBMISSION OF VDOT SMART SCALE APPLICATIONS**

**WHEREAS**, the Central Shenandoah Planning District Commission (CSPDC) desires to submit two applications through the Virginia Department of Transportation (VDOT) SMART SCALE Program; and

**WHEREAS**, the CSPDC is applying for the conversion of the intersection of US 33 and Route 649 (Island Ford Road) to a signalized partial restricted crossing U-turn and construct a dedicated crossover for southbound through-and left-turning movements, as recommended in the US 33 Arterial Management Plan; and

**WHEREAS**, the CSPDC is applying for the conversion of the intersection of US 33 and Rockingham Park Way to an unsignalized restricted crossing U-turn as proposed in the US 33 Arterial Management Plan; and the intersection of US 33 and Route 276 (Cross Keys Road)/Route 620 (Indian Trail Road) to a signalized restricted crossing U-turn intersection, as recommended in the US 33 Arterial Management Plan; and

**NOW THEREFORE BE IT RESOLVED THAT** the Board of Supervisors of Rockingham County hereby supports the CSPDC’s SMART SCALE Program Round 5 application.

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On motion by Supervisor Chandler, seconded by Supervisor Ritchie, 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:

**RESOLUTION  
ENDORISING THE SUBMISSION OF VDOT SMART SCALE APPLICATIONS**

**WHEREAS**, the Board of Supervisors of Rockingham County is submitting an application through the Virginia Department of Transportation (VDOT) SMART SCALE Program; and

**WHEREAS**, that application is for the conversion of the intersection of US 33 and Route 276 (Cross Keys Road)/Route 620 (Indian Trail Road) to a signalized restricted crossing U-turn intersection, as recommended in the US 33 Arterial Management Plan; and

**NOW THEREFORE BE IT RESOLVED THAT** the Board of Supervisors of Rockingham County hereby supports this SMART SCALE Program Round 5 application.

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**RESOLUTION – PRIORITY PATIENT TRANSPORT.**

Chair Wolfe-Garrison presented a resolution for Priority Patient Transport to provide medical services within Rockingham County.

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 adopted the following resolution:

**RESOLUTION  
GRANTING APPROVAL FOR PRIORITY PATIENT TRANSPORT, INC., A  
PRIVATE MEDICAL SERVICES AGENCY, TO PROVIDE MEDICAL TRANSPORT  
SERVICES, WITHIN ROCKINGHAM COUNTY.**

**WHEREAS**, Section 15.2-955 of the Code of Virginia provides that no organization shall provide emergency medical services without the prior approval by resolution of the local governing body; and

**WHEREAS**, Virginia Administrative Code regulations, specifically 12 V AC 5-31-420, also require that any applicant for licensure by the Virginia Office of Emergency Services include such local approval in its state license application; and

**WHEREAS**, Priority Patient Transport, Inc. ("Priority"), a private business, desires a state license to provide certain medical transport services in Rockingham County, Virginia.

**NOW THEREFORE BE IT RESOLVED THAT** the Board of Supervisors of Rockingham County hereby supports:

That Priority is hereby granted approval to provide medical transport services within the County, subject to the following requirements when Priority is providing services within the County:

Priority shall only respond to emergency incidents where specifically requested by a responding emergency medical services agency or through a written agreement with the County;

Priority shall timely pay all federal, state, and local taxes and license fees, shall obey all applicable federal, state and local laws and regulations, and shall keep its transport vehicles and medical equipment strictly in a safe, neat, well maintained and sanitary condition; and

Priority shall be and remain in good standing with every regulatory body and agency of the United States and the Commonwealth of Virginia and any other locality in which it operates.

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**ASSISTANT COUNTY ADMINISTRATOR FOR DEVELOPMENT.**

Joshua Gooden, Economic Development & Tourism Coordinator, requested approval of the Tourism Grant Program for Towns. The Tourism Grant Program promotes tourism infrastructure projects within the seven towns of Rockingham County. All towns except Bridgewater have submitted projects.

Mr. Gooden reviewed the projects specific to each town.

On motion by Supervisor Chandler, seconded by Supervisor Ritchie, 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 Tourism Grant Program for Towns.

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

Mrs. Davidson explained the Finance Department is seeking proposals from qualified firms to provide an enterprise level Computer Assisted Mass Appraisal (CAMA) System for real estate assessors. The RFP closed June 23, with three responses. Vision Government Solutions, Inc. provided the best response to the RFP at a price not to exceed \$375,000, with annual subscription costs not to exceed \$60,000. The goal is to have the real estate office functioning by 2026, explained Mrs. Davidson.

On motion by Supervisor Chandler, seconded by Supervisor Kyger, 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 awarded the CAMA System contract to Vision Government Solutions, Inc. at a cost not to exceed \$375,000, with annual subscription costs not to exceed \$60,000.

FINANCE COMMITTEE

On behalf of the Finance Committee, on motion by Supervisor Chandler, seconded by Supervisor Ritchie, 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 following FY2022-2023 Supplemental Appropriation:

The County received a \$40,000 grant from Sentara. This grant will go toward the purchase of a V-100LE-1 VirTra Virtual Interactive, virtual reality training simulator from Virtual Interactive Coursework Training Academy. This will help prepare law enforcement officers for real-life incidents with state-of-the-art simulators and surreal scenarios. Topics included in the VitTra simulator are well-aligned with CIT Training, including modules on recognizing the symptoms of a variety of mental illnesses and disorders, effective communication techniques, crisis de-escalation, and judgmental use of force. Also, the amount awarded will allow for the purchase of pelican cases for easier transport of equipment since the simulator is portable.

Supplemental Appropriation: \$40,000

\$40,000      1001-00000-11899-000-318400-000 Grants: Local Money  
 \$40,000      1001-02110-10258-000-508001-000 Machinery & Equipment

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**COMMITTEE REPORTS.**

AIRPORT

Supervisor Kyger stated groundbreaking for the new hangars has begun. The airport is awaiting rating information from the FFA on a new carrier, which will be announced once approved.

VIRGINIA ASSOCIATION OF COUNTIES (VACO)

Supervisor Kyger noted the annual summit will be in Roanoke on August 18, and the annual conference will be November 13-15 in Richmond. Registration is now open.

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**RECESS.**

Supervisor Wolfe-Garrison recessed the meeting at 6:49.

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**REZONING NOT INVOLVING A PUBLIC HEARING.**

At 7:00 p.m., Chair Wolfe-Garrison reconvened the meeting, and Land-Use Planner Yankey reviewed the following:

REZ22-1438 Great Eastern Resort Corporation, PO Box 6006, Charlottesville, VA. This is a request to update unit labels to better identify uses and amenities in the Woodstone Meadows Master Plan. The property is zoned R-5 (Planned Neighborhood District). Election District 5.

She explained the amendment to the Woodstone Meadows Master Plan would better identify uses and amenities in future development. On May 25, 2022, the Board waived a public hearing. This request does not increase density or change uses within the Woodstone Meadows Master Plan. The total number of approved timeshares will remain at 1,700 units. Changes are consistent with the Comprehensive Plan. Mrs. Yankey noted on July 5, 2022, the Planning Commission recommended approval.

No questions were received from the board.

On motion by Supervisor Breeden, 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 approved REZ22-1438 Great Eastern Resort Corporation, PO Box 6006, Charlottesville, VA to update unit labels to better identify uses and amenities in the Woodstone Meadows Master Plan. The property is zoned R-5 (Planned Neighborhood District). Election District 5.

*(The amended master plan is attached to and made a part of these minutes.)*

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**PUBLIC HEARING – COMPREHENSIVE PLAN AMENDMENT.**

Ms. Cooper reviewed Comprehensive Plan Amendment CPA22-1580, amending the Transportation Chapter to include improvements to the intersection of US 340 and Island Ford Road, and improvements recommended in VDOT’s US 33 Arterial Management Plan.

At 7:05 p.m., Chair Wolfe-Garrison opened the public hearing.

No public comments were received.

At 7:06 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 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved CPA22-1580, 2015 Comprehensive Plan Transportation Chapter to add US 33 Arterial Management Plan and Intersection of US 340 and Island Ford Road.

*(CPA22-1580 is attached to and made a part of these minutes)*

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**PUBLIC HEARING – ORDINANCE AMENDMENT.**

At 7:08 p.m., Chair Wolfe-Garrison opened the public hearing and Zoning Administrator Getz reviewed the following:

OA22-1375 To amend section 17-806: Area, Setback, And Height Table, the front setbacks for Accessory Dwellings in the A-1 (Prime Agricultural), A-2 (General Agricultural), and RV (Rural Village) zoning districts.

He explained this is a staff-generated ordinance amendment to the front setback requirements for accessory dwellings. This amendment would simply require accessory

dwellings to meet the same setbacks as primary structures within these zoning districts. Mr. Getz stated on July 5, 2022, the Planning Commission recommended approval.

No public comments were received.

Chair Wolfe-Garrison closed the public hearing at 7:11 p.m.

On motion by Supervisor Kyger, seconded by Supervisor Ritchie, 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 ordinance amendment:

**ORDINANCE AMENDING  
TABLE 17-806.01  
OF THE CODE OF ORDINANCES  
OF  
ROCKINGHAM COUNTY, VIRGINIA**

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

That Table 17-806.01 Area, Setback, and Height – Conventional be and is hereby amended as follows:

Table 17-806.01 Area, Setback, and Height – Conventional

A-1, Prime Agricultural, in the “Accessory dwellings” row, under the “Minimum Front Setback” column, remove all the current language and replace with “See footnote.\*”

A-2, General Agricultural, in the “Accessory dwellings” row, under the “Minimum Front Setback” column, remove all the current language and replace with “See footnote.\*”

RV, Rural Village, in the “Accessory dwellings” row, under the “Minimum Front Setback” column, remove all the current language and replace with “See footnote.\*”

This ordinance shall be effective from the 27th day of July, 2022.

Adopted the 27th day of July 2022.

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**PUBLIC HEARING – SPECIAL USE PERMIT REQUESTS.**

**SUP22-1456 MELROSE CAVERNS LLC**

Zoning Administrator Getz reviewed the following request:

SUP22-1456 Melrose Caverns LLC, 247 Fairway Drive, Harrisonburg, VA, for an off-premises sign located on the west side of North Valley Pike (Route 11) south of Longs Pump Road (Route 721). Zoned A-2 (General Agricultural). Tax Map # 81-(A)-L53. Election District 3.

John Yancey appeared on behalf of Melrose Caverns and Melrose Farms. He stated the goal is to attract more business to the caverns. The sign originally existed in the 1950s.

Chair Wolfe-Garrison asked if this was the same sign that was in place before; Mr. Yancey said it will be a new sign.

Supervisor Ritchie inquired if the sign would interfere with views from surrounding houses. Mr. Yancey stated it would not.

Chair Wolfe-Garrison opened the public hearing at 7:15 p.m.

No members of the public spoke.

Chair Wolfe-Garrison closed the public hearing at 7:15 p.m.

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 approved SUP22-1456 Melrose Caverns LLC, 247 Fairway Drive, Harrisonburg, VA, for an off-premises sign located on the west side of North Valley Pike (Route 11) south of Longs Pump Road (Route 721). Zoned A-2 (General Agricultural). Tax Map # 81-(A)-L53. Election District 2.

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SUP22-1457 FERGUSON ENTERPRISES LLC

At 7:16 p.m., Chair Wolfe-Garrison opened the public hearing, and Zoning Administrator Getz reviewed the following request:

SUP22-1457 Ferguson Enterprises LLC, 751 Lakefront Commons, Newport News, VA for a retail use not otherwise listed (wholesale distribution and ancillary retail sales) located on the west side of Early Road (Route 988) approximately 0.1 mile north of Cottontail Trail (Route 705). Zoned I-1 (Industrial). Tax Map # 124F-(2)-L4. Election District 4.

Mr. Getz noted applicants are proposing a plumbing supply business utilizing an existing structure on the property.

Linda Van Dyke appeared on behalf of Ferguson Enterprises, and property owner Ron Dunham was present.

No public comments were received.

Chair Wolfe-Garrison closed the public hearing at 7:19 p.m.

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 approved SUP22-1457 Ferguson Enterprises LLC, 751 Lakefront Commons, Newport News, VA for a retail use not otherwise listed (wholesale distribution and ancillary retail sales) located on the west side of Early Road (Route 988) approximately 0.1 mile north of Cottontail Trail (Route 705). Zoned I-1 (Industrial). Tax Map # 124F-(2)-L4. Election District 4.

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SUP22-1494 BRANDON RIDDLEBERGER

Zoning Administrator Getz reviewed the following request:

SUP22-1494 Brandon Riddleberger, 1958 Evelyn Byrd Avenue, Harrisonburg, VA, for a small contractor's operation located on the west side of Weavers Road (Route 726), approximately 245 feet from the intersection of Rawley Pike (Route 33). Zoned A-1 (Prime Agricultural). Tax Map #108-(A)-L9. Election District 2.

Mr. Getz stated applicant Brandon Riddleberger operates a small plumbing business and is proposing to use the property and existing buildings. The use of all three existing buildings would exceed the amount allowed under Supplemental Standards for Small Contractors under the County Code. However, Mr. Getz pointed out the applicant confirmed he would not be using the chicken house next to Weavers Road as part of the business. The use of only two buildings will bring him under the 5,000 square foot limit required.

Chair Wolfe-Garrison opened the public hearing at 7:24 p.m.

Applicant Brandon Riddleberger indicated his plan is to remove old vehicles from the property, most of which are currently inside the chicken house. The business currently has ten employees and eight trucks. Employees start work at 7:30 a.m. and typically end the day by 5:00 p.m. He also stated the business should not be open to the public for any reason.



After multiple questions and discussion from the Board, Mr. Riddleberger clarified that two to three full time employees would work at the facility, and employees take trucks home at the end of the day. The previous property owner has an agreement to remove all old vehicles by January, and none will be kept. Mr. Riddleberger said he is working with VDOT about widening the northern entrance, and a second entrance would need approval. He estimated the chicken house had been on the property at least 50 years and he plans to clean and paint it. Mr. Riddleberger also detailed the type of equipment he intends to have on-site and his considerations for security lighting.

Supervisor Kyger inquired about screening of the property. Mr. Getz stated outside storage is required to be screened but said there are no requirements to screen the buildings from adjoining properties.

Brent Burkholder spoke in favor of the request. He stated he lives on Weavers Road near the property and knows Mr. Riddleberger well. Mr. Burkholder is a builder and developer who has used Mr. Riddleberger's services for several years. Mr. Burkholder spoke highly of Mr. Riddleberger's integrity and indicated he thought the business would improve the property and community.

Roy Ferguson spoke in opposition, citing concerns of increased traffic and the significant change of the property use in an otherwise residential area. He believed Mr. Riddleberger's amount of equipment exceeded the limit indicated in the Supplemental Standards.

Andrew McAdams spoke in opposition and presented the Board with photos of the subject property. He stated if Mr. Riddleberger stores equipment between two buildings as proposed, it would be plainly visible from his property. Mr. McAdams fears this would affect his property value. He mentioned a secondary concern of lighting and agreed with Mr. Ferguson's traffic concerns.

Kehris Snead spoke in opposition, echoing previous concerns.

Rebecca Simmons spoke in opposition to the proposal for similar reasons. Although she supports the business itself, she indicated this is not the right location. She stated speeding on Weavers Road is already an issue and adding another driveway access potentially raises the risk of accidents.

Susan Ferguson expressed her opposition and her agreement with previously stated concerns.

Kristin Payne, neighboring property owner, spoke in favor. Ms. Payne said the property in question was a junkyard until Mr. Riddleberger recently started cleaning it up. She stated that neighbors directly next to Mr. Riddleberger's property do not oppose his application; the opposition is coming from people who live down the road.

Supervisor Ritchie asked if anyone opposing the request had previously complained about the junk vehicles or state of the property. Citizens responded their complaints are because of a business potentially adding unsightly gravel, equipment, and increased traffic; not because of junk vehicles.

Supervisor Kyger stated he was perplexed at the opposition. In its current condition it is an eyesore, and Mr. Riddleberger is proposing to open a business and clean it up. Supervisor Kyger countered that if the property is not cleaned up, that will negatively effect property values. Regarding traffic, Supervisor Kyger said that a few more vehicles added to Weavers Road would not compare to the traffic that residents produce daily.

Chair Wolfe-Garrison closed the public hearing at 8:08 p.m.

Chair Wolfe-Garrison clarified that this is not a rezoning issue, but a special-use permit application. She noted that special-use permits are granted for the land, with specific enforceable conditions, and continue with successive owners. She also stated she has communicated extensively with Mr. Riddleberger about his expected business traffic. Chair Wolfe-Garrison acknowledged the concerns brought forth during the public hearing.

Supervisor Ritchie confirmed with Mr. Riddleberger that he is willing to provide natural screening on the north side of the property.

After a brief discussion concerning the property entrances, County Attorney Miller indicated the local government should not get involved in these types of decisions, and Chair Wolfe-Garrison confirmed entrance decisions are VDOT's responsibility.

On motion by Supervisor Kyger, 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, subject to the following conditions, approved SUP22-1494, Brandon Riddleberger, 1958 Evelyn Byrd Avenue, Harrisonburg, VA, for a small contractor’s operation located on the west side of Weavers Road (Route 726), approximately 245 feet from the intersection of Rawley Pike (Route 33). Zoned A-1 (Prime Agricultural). Tax Map #108-(A)-L9. Election District 2.

CONDITIONS:

1. Number of on-site employees will be the lesser of:
  - a. four (4); or,
  - b. the number designated as acceptable through the septic permitting process of the Virginia Department of Health – Environmental.
2. This location will not have a retail presence or be open to the public for consumer access.
3. Equipment and vehicles may only be stored to the South of or between the two existing buildings.
  - a. If either (or both) of the existing buildings is (are) removed and not replaced within 6 months with another comparably-sized building, screening requirements set forth in Chapter 17, Article VII under Development Standards of the Rockingham County Code apply and shall be met within 6 months of removal of the building(s).
  - b. “Stored” as used in this condition applies to equipment and trucks kept on-site over-night or when not on an active job site.
4. All equipment, vehicles, materials, and any products associated with the small contractor’s business shall be kept on the southern side of the existing driveway. The area north and west of the driveway shall be maintained in grass.
5. A vegetative buffer shall be planted and maintained along the north property line as shown on the approved site plan.
6. Parking of vehicles driven to work by on-site employee shall be limited to regular business hours.
7. Regular business hours shall not exceed Monday through Friday from 7:00am-6:00pm.
8. VDOT has designated this parcel as acceptable for a “low volume commercial entrance” that allows for up to 50 vehicle trips per day. For this condition “trip” is understood to mean: a vehicle entering the parcel constitutes one trip and the same vehicle exiting the parcel constitutes a second trip.
9. Exterior lighting shall be for security purposes only and shall be ground directed.
10. Use shall be in substantial accordance with the site plan submitted with the application.
11. The use and structure shall comply with all applicable federal, state, and local regulations.

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**REMOVAL FROM THE TABLE, SUP22-1227 PAYNE’S TOWING & RECOVERY LLC**

On motion by Supervisor Breeden, 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 SUP22-1227 from the table.

On motion by Supervisor Breeden, 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, subject to the following conditions, approved SUP22-1227 Payne's Towing & Recovery LLC, 248 Industrial Drive, Ruckersville, VA, for motor vehicle repair and impound lot located on the north side of Spotswood Trail (Route 33), approximately 420 feet west of Mt. Hermon Road (Route 979). Zoned A-2 (General Agricultural). Tax Map #130-(A)-L13B. Election District 5.

**CONDITIONS:**

- 12. Applicant shall screen the impound lot from Spotswood Trail using a combination of privacy panels on the security fence and minimum 5 feet tall Thuja ‘Green Giant’ (standishii x plicata) trees spaced 8 feet on-center. If easement restrictions do not allow for plantings, the screening shall be provided by privacy panels, approved by the Zoning Administrator, on the fence.
- 13. Applicant shall supplement existing screening from adjoining properties using privacy panels, vegetation, or a combination thereof.
- 14. Use shall be in substantial accordance with the site plan submitted with the application.
- 15. The use and structure shall comply with all applicable federal, state, and local regulations.

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**CLOSED MEETING.**

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 recessed the meeting from 8:33 p.m. to 9:24 p.m., for a closed meeting pursuant to 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; and (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 CHANDLER  
SECOND: SUPERVISOR KYGER

RESOLUTION NO: 22-10  
MEETING DATE: July 27, 2022

**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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**ADJOURN.**

Chair Wolfe-Garrison declared the meeting adjourned at 9:27 p.m.

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Chairman