

August 11, 2021

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, August 11, 2021, 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 joined the meeting at 4:02 p.m.
- 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
- RHONDA H. COOPER, Director of Community Development
- PATRICIA D. DAVIDSON, Director of Finance
- KIRBY W. DEAN, Director of Parks & Recreation
- ANN MARIE FREEMAN, Director of Court Services
- JEREMY C. HOLLOWAY, Fire & Rescue Chief
- PHILIP S. RHODES, Director of Public Works
- KELLY S. GETZ, Zoning Administrator
- CARLEY A. STACKPOLE, Code Compliance Officer
- 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.**

Chairman Chandler called the meeting to order at 3:00 p.m.

Chairman Chandler provided the invocation, and County Attorney Miller led the Pledge of Allegiance.

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**APPROVAL OF MINUTES.**

On motion by Supervisor Ritchie, seconded by Supervisor Wolfe-Garrison, 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 regular meeting of July 28, 2021.

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**AWARD OF SERVICE WEAPON – MAJOR CLAYTON JUSTICE.**

Sheriff Hutcheson announced that Major Clayton Justice retired on July 1, 2021 with 27 years of service with the Sheriff’s Office and Jail. Sheriff Hutcheson commended Major Justice for his extraordinary service during his career.

On motion by Supervisor Ritchie, 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; in accordance with Virginia Code Section 59.1-148.3, the Board declared as surplus, a Glock Model 22 with serial number KYY453, to be awarded to Major Justice.

Supervisor Ritchie and Sheriff Hutcheson presented Major Justice with his service weapon in recognition of his retirement.

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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 Breeden asked for a meeting with VDOT to discuss concerns he received from residents about Cemetery Road (Route 843); and to talk about safety improvements for the intersection of Island Ford Road (Route 649) and East Side Highway (Route 340).

Supervisor Wolfe-Garrison asked if residents along the northern end of Route 11 had been made aware of the plan to modify the project. Mr. Komara indicated residents had not been notified, and said anyone with questions can contact VDOT to arrange a time to see the modified plans.

Chairman Chandler suggested eliminating the passing zones on Spaders Church Road (Route 689), and explained how dangerous that area is now that there are several new driveway entrances.

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**TREASURER’S ANNUAL REPORT.**

L. Todd Garber, Treasurer, provided the Board with an update on the activities of the Treasurer’s Department, and presented a report of the County’s annual tax collections, along with a summary of uncollectible and delinquent taxes.

Mr. Garber directed the Board’s attention to the following tax collection reports:

In 2020, taxes collected were as follows:

	<b>ASSESSED</b>	<b>PERCENTAGE COLLECTED</b>
Real Estate & P.S. (1 <sup>st</sup> half)	\$ 30,983,948	99.07%
Real Estate & P.S. (2 <sup>nd</sup> half)	\$ 31,405,780	98.86%
Personal Property	\$ 24,801,509	98.20%
Public Service Personal Property	\$ 40,329	100.00%
Machinery & Tools	\$ 13,155,966	99.89%
Merchants Capital	\$ 1,656,499	99.66%
Mobile Homes	\$ 192,675	91.81%
Agriculture Equipment	\$ 548,921	99.35%
Late Filing Fees	\$ 165,246	94.60%
Recreational Vehicles	\$ 166,318	97.79%
Vehicle License Fees	\$ 1,425,251	95.61%
Aircraft	\$ 41,209	100.00%

**TAX COLLECTION REPORT  
As of June 30, 2021**

**REAL ESTATE (Including Public Service)**

<u>Tax Year</u>	<u>Levy</u>	<u>Collected</u>	<u>Percentage Collected</u>
2020	\$ 62,389,728	\$ 61,744,639	98.97%
2019	\$ 61,342,226	\$ 60,923,782	99.32%
2018	\$ 60,069,878	\$ 59,838,499	99.61%
2017	\$ 57,917,832	\$ 57,778,469	99.76%
2016	\$ 54,021,558	\$ 53,921,739	99.82%
2015	\$ 50,942,504	\$ 50,871,661	99.86%
2014	\$ 47,708,894	\$ 47,658,214	99.89%
2013	\$ 46,936,670	\$ 46,894,231	99.91%
2012	\$ 46,482,372	\$ 46,447,993	99.93%
2011	\$ 43,079,159	\$ 43,058,404	99.94%
2010	\$ 42,681,849	\$ 42,661,292	99.95%
2009	\$ 40,521,624	\$ 40,507,068	99.96%
2008	\$ 39,673,316	\$ 39,661,843	99.97%
2007	\$ 37,034,243	\$ 37,024,421	99.97%
2006	\$ 35,745,399	\$ 35,738,134	99.98%
2005	\$ 29,946,179	\$ 29,941,888	99.99%
2004	\$ 28,868,123	\$ 28,864,133	99.99%
2003	\$ 28,107,841	\$ 28,104,722	99.99%
2002	\$ 27,256,839	\$ 27,254,005	99.99%

**PERSONAL PROPERTY (Including Public Service)**

<u>Tax Year</u>	<u>Levy</u>	<u>Collected</u>	<u>Percentage Collected</u>
2020	\$ 40,605,583	\$ 40,117,265	98.80%
2019	\$ 38,069,754	\$ 37,884,372	99.51%
2018	\$ 36,460,443	\$ 36,342,823	99.68%
2017	\$ 34,008,424	\$ 33,895,448	99.67%
2016	\$ 31,632,341	\$ 31,540,025	99.71%

On motion by Supervisor Wolfe-Garrison, 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 accepted the Treasurer’s Annual Report of Tax Collections, and Uncollectible and Delinquent Taxes.

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**COUNTY ADMINISTRATOR’S STAFF REPORT.**

Administrator King reported that facilities staff were actively working to repair the heating and air conditioning system at the Courts Building. He noted that a major replacement will be necessary in the near future for that HVAC system.

Mr. King recalled information he had sent to the Board related to the Shenandoah Valley Rail-Trail Feasibility Study. He explained that it would be easier for the County to front the money for the study, opposed to collecting from each locality. In the event a project occurs

after the study, the funds could be used toward the County's contribution. He said if there were no objections, Finance Director Davidson would prepare an appropriation for consideration at the August 25, 2021, Board meeting.

Administrator King provided an update regarding Middle River Regional Jail. He explained that although the Authority settled on a project which involves only upgrading systems and adding space for meeting areas and staff, needs continue to be questioned. Mr. King reported that the Authority will become its own fiscal agent, as the duty has become too large for Augusta County or any other member jurisdiction to take on. With that, comes the need for staffing and additional space. Administrator King also discussed the importance and benefits of the work release program, which MRRJ does not currently have the capacity to handle. Mr. King indicated he has suggestions for implementing a potential work release program at the Rockingham County Jail and said he plans to provide his thoughts to the Sheriff and Board members.

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**ASSISTANT COUNTY ADMINISTRATOR ARMSTRONG.**

The Board received and reviewed Mr. Armstrong's staff report dated August 1, 2021.

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**FINANCE DIRECTOR'S STAFF REPORT.**

Mrs. Davidson reported that staff have been working to reclassify the Deputy Director of Finance position into an entry-level accountant position. She explained there has been difficulty in finding a qualified candidate to fill the vacant Deputy Director position and stated that the Department has an immediate need for someone who can perform day-to-day financial functions. Mrs. Davidson indicated she will take over the procurement responsibilities of the Department.

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**PUBLIC WORKS STAFF REPORT.**

The Board received and reviewed Mr. Rhodes' staff report dated August 11, 2021.

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

The Board received and reviewed Ms. Cooper's staff report dated August 11, 2021.

Ms. Cooper reported that historically, Community Development staff have utilized an eight-week process for rezoning applications. However, not too long ago, staff implemented a six-week process, she explained. Ms. Cooper noted that the condensed process does not allow adequate time for Planning Commissioners to review information or provide comments after other agencies have commented. She requested returning to the eight-week process for rezoning applications and indicated this would not create any issues for developers, as long as they receive a timeline.

Ms. Cooper recalled the joint public hearing with the Planning Commission and Board of Supervisors on July 14, 2021. She said following the public hearing, the Planning Commission convened a meeting to work through the proposed solar facility ordinances and policy. Ms. Cooper reviewed the proposed revisions, which were provided in the Board's agenda packet. She reported that the Planning Commission recommended approval on August 3, 2021, by a vote of 5-0.

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**FIRE AND RESCUE CHIEF’S STAFF REPORT.**

The Board received and reviewed Chief Holloway’s staff report dated August 2021.

Supervisor Wolfe-Garrison commended Fire and Rescue staff for collaborating with the City Fire Department to coordinate Camp L. I. T., an all-girl day camp for ages 13-16. Supervisor Wolfe-Garrison said the camp was outstanding.

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**PARKS AND RECREATION DIRECTOR’S STAFF REPORT.**

The Board received and reviewed Mr. Dean’s staff report dated August 5, 2021.

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**COURT SERVICES DIRECTOR’S STAFF REPORT.**

The Board received and reviewed Mrs. Freeman’s staff report dated August 11, 2021.

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**OTHER.**

Supervisor Kyger pointed out that the County’s crop situation is in dire condition as a result of drought conditions. He suggested staff determine how local farmers can apply for drought assistance.

By consensus, the Board authorized the County Administrator to contact the appropriate government office to request guidance and/or a formal drought designation, which may provide financial relief to the agricultural community in the County.

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**CLOSED MEETING.**

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 recessed the meeting from 4:28 p.m. to 5:10 p.m., for a Closed Meeting - Pursuant to Section 2.2-3711.A (1), Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and, Section 2.2-3711.A (8), Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

MOTION: SUPERVISOR WOLFE-GARRISON      RESOLUTION NO: 21-15  
SECOND: SUPERVISOR KYGER                      MEETING DATE: August 11, 2021

**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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**RECESS.**

Chairman Chandler recessed the meeting for dinner at 5:10 p.m.

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**PUBLIC HEARING – SPECIAL USE PERMIT.**

Chairman Chandler opened the public hearing at 6:00 p.m.

Zoning Administrator Getz reviewed the following special use permit request:

SUP21-157 Church of Solsburg, 14695 Rockingham Pike, Elkton, for a school located on the west side of Solsburg Road (Route 979) approximately 130 feet north of Rockingham Pike (Route 981) in Election District 5. Zoned A2-General Agricultural. Tax Map #130-(A)-L75.

The applicant was available to answer questions.

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Chairman Chandler closed the public hearing at 6:04 p.m.

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, subject to the following conditions, approved SUP21-157 Church of Solsburg, 14695 Rockingham Pike, Elkton, for a school located on the west side of Solsburg Road (Route 979) approximately 130 feet north of Rockingham Pike (Route 981) in Election District 5. Zoned A2-General Agricultural. Tax Map #130-(A)-L75.

Conditions:

1. Use shall be in substantial accordance with the submitted site plan.
2. The use and structures shall comply with all applicable federal, state, and local regulations.

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**OTHER.**

Assistant County Administrator Armstrong reported that he attended a webinar with members of the Central Shenandoah Planning District Commission (CSPDC) related to potential funding for localities via the Build Back Better Agenda. Funding could be used specifically to go toward projects to enhance the agricultural industry. Discussion amongst the Board and staff ensued, specifically the lack of slaughtering capacity in the Region and how it affects the agricultural industry. Mr. Armstrong indicated the CSPDC has asked the County to take the lead and apply for funding to study the need for the agricultural industry.

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**ADJOURN.**

Chairman Chandler declared the meeting adjourned at 6:23 p.m.

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Chairman