

August 24, 2022

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, August 24, 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
- PATRICIA D. DAVIDSON, Assistant County Administrator for Finance & Operations
- RHONDA H. COOPER, Director of Community Development
- PHILIP S. RHODES, Director of Public Works
- KELLY S. GETZ, Zoning Administrator
- DYLAN L. NICELY, Land-Use Planner
- 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 6:00 p.m.

Supervisor Kyger paused for a moment of silence in honor of former Virginia Association of Counties Executive Director Jim Campbell and Massanutten Technical Center instructor Gerald Will, who recently passed away.

Supervisor Ritchie provided the invocation, and County Attorney Miller led the Pledge of Allegiance.

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INTRODUCTION OF STUDENTS.

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

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APPROVAL OF MINUTES.

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 approved the minutes of the regular meeting of August 10, 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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METROPOLITAN PLANNING ORGANIZATION LONG-RANGE TRANSPORTATION PLAN PHASE TWO UPDATE.

Ann W. Cundy, Director of Transportation for the Central Shenandoah Planning District Commission (CSPDC) provided an update regarding the Long-Range Transportation Plan (LRTP). The LRTP is a 25-year plan for current and long-term transportation needs and planned investments in the region based on documented transportation data and public input. She recalled the process began in 2021 and indicated it has now entered Phase Two; a focus on gathering feedback on a list of proposed transportation projects, known as the draft Universe of Projects. Ms. Cundy encouraged Board members, staff and community members to share feedback on the draft Universe of Projects by visiting hrvampo.org/lrtp. The survey will be available through September 16, 2022.

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SHENANDOAH VALLEY REGIONAL AIRPORT UPDATE.

Michael D. Heatwole, Shenandoah Valley Regional Airport (SVRA) Commissioner introduced SVRA Executive Director Lisa Botkin. Ms. Botkin provided an update on the recent activities of the Airport and asked the Board to consider adopting a Resolution for the benefit of the Airport.

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 adopted the following Resolution:

RESOLUTION

FOR THE BENEFIT OF SHENANDOAH VALLEY REGIONAL AIRPORT COMMISSION

WHEREAS, the Shenandoah Valley Regional Airport Commission (the “Commission”) was duly established pursuant to the Code of Virginia, 1950, as amended, and by resolution and agreement of the several political subdivisions of the Commonwealth of Virginia comprising the Commission, namely the Counties of Augusta and Rockingham and the Cities of Harrisonburg, Staunton and Waynesboro (collectively, the “Member Localities”), to have and exercise, on behalf of such Member Localities, the power and authority to operate the Shenandoah Valley Regional Airport (“SVRA”) located in Augusta County, Virginia; and

WHEREAS, the Commission determined that it is necessary and desirable to (a) acquire, construct, and equip aircraft hangar facilities at SVRA, (b) install and/or replace all or any portion of the SVRA’s fuel farm tanks, and (c) pay issuance costs in connection with the financings therefor (collectively, the “Project”); and

WHEREAS, the United States of America, acting through Rural Housing Service, an agency of the United States Department of Agriculture (“RHS”), offered to purchase an up to \$3,086,500 Shenandoah Valley Regional Airport Commission Taxable Airport Revenue Bond (the “Bond”) to provide the permanent financing needed by the Commission to pay all or any portion of the costs of the Project on the terms and conditions described in that certain RHS Letter of Conditions, dated September 26, 2018; and

WHEREAS, RHS required interim financing for the Project and the Commission reasonably expects that long-term, permanent financing for the Project being financed by the Commission on an interim basis with the proceeds of the Note shall ultimately be provided to the Commission by RHS, together with any other lawfully available funds therefor; and

WHEREAS, the Commission obtained interim financing from Blue Ridge Bank (the “Bank”) represented by the Commission’s issuance of an up to \$2,986,500 Shenandoah Valley Regional Airport Commission Taxable Airport Revenue Note, Series 2019 (the “Note”); and

WHEREAS, by letter dated July 25, 2022 (the “Commitment Letter”), the Bank has authorized a modification and amendment of the Note to extend the maturity of the Note from October 29, 2022, to October 29, 2023, at a fixed, taxable interest rate of 3.75% and to extend the draw period under the Note to October 28, 2023 (the “Modification”); and

WHEREAS, the Modification relating to the loan under the Note will be embodied in an amendment to the Note (the “Allonge”); and

WHEREAS, the Commission desires to obtain the approval of each of the governing bodies of its Member Localities with respect to the Modification and delivery of the Allonge, subject to the Commission’s final determination of the form and details thereof (all such undertakings by the Commission to finance the Project, on an interim or permanent basis, being collectively referenced herein as the “Loans”); and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors (the “Board”) of the County of Rockingham, Virginia (the “County”), as follows:

1. The Modification and the delivery of the Allonge by the Commission, as described in this Resolution, is hereby approved and authorized, to the fullest extent as may be required, if at all.

2. It is to be understood that nothing contained in this Resolution is or shall be deemed to be a debt of the County or a pledge of the faith and credit or the taxing power of the County, and nothing shall legally bind or obligate the Board or any future Board to appropriate funds for such purposes. The long-term indebtedness of the Commission represented by the Note, as amended by the Allonge, or the Bond (or otherwise in connection with the Project and the Loans) shall not be deemed to constitute a debt or pledge of the faith and credit of the taxing power of the County, and neither the faith and credit nor the taxing power of the County shall be pledged for the payment of the principal of, premium, if any or interest on the Note, as amended by the Allonge, or the Bond or any other obligation of the Commission in connection with the Project or the Loans, or any other costs incident thereto.

3. The Chair, Vice Chair, and the County Administrator, any one or more of whom may act, and such officers, employees, and agents of the County as any of them may designate, are each authorized and directed to take all such further actions and to execute and deliver any and all instruments, certificates, and other documents (if any) in order to carry out the purposes of this Resolution and in furtherance of the financing of the Project by the Commission, as described in this Resolution.

4. This Resolution shall be effective immediately.

Adopted: August 24, 2022

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ASSISTANT COUNTY ADMINISTRATOR FOR FINANCE AND OPERATIONS.

On motion by Supervisor Ritchie, 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 declared the following items surplus to be disposed of on the public surplus website:

| Department | Description | Quantity |
|-----------------------|--------------------------------------|-----------------|
| Utilities | 2016 CAT 308E2-Yellow | 1 |
| Technology | 2001 Chevrolet Malibu-Vehicle 1032 | 1 |
| Commissioner | 2004 Ford Explorer XLS-Vehicle 30 12 | 1 |
| Reassessment | 2002 Ford Explorer XLT-Vehicle 3028 | 1 |
| Utilities | 2013 Ford Pickup-Vehicle 3113 | 1 |
| County Property Maint | 2003 Ford Super-Cab-Vehicle 2351 | 1 |
| Landfill | 2015 Polaris Model 570-Vehicle #3131 | 1 |
| Landfill | 2005 Ford Explorer-Vehicle#2532 | 1 |
| Community Development | 2006 Ford Explorer-Vehicle #2631 | 1 |
| Garage | 2006 Ford F150 -Vehicle #3049 | 1 |
| Engineering | 2007 Ford Explorer -Vehicle 3063 | 1 |
| Court Services | 1999 Ford Van-Vehicle #3097 | 1 |
| Utilities | 2011 Ford F150-Vehicle#3102 | 1 |
| Building Inspections | 2012 Ford Escape-Vehicle 3104 | 1 |
| Fire & Rescue | 2005 Ford Explorer-Vehicle#3024 | 1 |
| Utilities | Steiner CB420-Red | 1 |
| County Property Maint | 2005 Gravely Grass Catcher | 1 |
| Landfill | 2009 Kawasaki Mule 610-Green | 1 |

Finance Director Davidson recalled the County issued an Invitation to Bid (ITB) to establish a contract for the purchase of County vehicles. One bid was received, and staff recommended awarding the contract to Myers Ford in the amount of \$407,299.

On behalf of the Finance Committee, 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 awarded the Vehicle ITB to Myers Ford, for the purchase of eleven vehicles, not to exceed \$407,299.

On behalf of the Finance Committee, 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 the following FY2022 Supplemental Appropriation:

Supplemental Appropriation \$250,000

A budget amendment for Rockingham County Public Schools to appropriate additional revenue received by Massanutten Technical Center for Fiscal Year 2022.

| <u>Revenue</u> | | <u>Expenditure</u> | |
|---------------------------------|-----------|---------------------------------|-----------|
| 2205-00000-21612-000-460033-000 | \$140,000 | 2205-61100-00000-305-601120-300 | \$ 25,000 |
| 2205-00000-23301-000-469270-000 | \$ 55,000 | 2205-61100-00000-305-601803-100 | \$ 46,000 |
| 2205-00000-23301-000-469280-000 | \$ 45,000 | 2205-61100-00000-305-606070-300 | \$ 67,000 |
| 2205-00000-21612-000-460032-000 | \$ 10,000 | 2205-64200-00000-905-608305-000 | \$112,000 |

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REMOVAL FROM THE TABLE – SUP22-1638 ANDREW RODGERS.

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 SUP22-1638 Andrew Rodgers from the table.

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 denied SUP22-1638 Andrew Rodgers, 1455 Trinity Church Road, Rockingham, VA, for recreation or entertainment outside a building and not otherwise listed (off-road training facility for ATVs, dirt bikes) located on the south side of Trinity Church Road (Route 724), approximately 1.40 miles east of North Valley Pike (Route 11). Zoned A-2 (General Agricultural). Tax Map # 96-(A)-L3E. Election District 3.

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COMMITTEE APPOINTMENT.

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 recommended Charles E. Dean (District 5) for appointment by the Circuit Court to the Board of Zoning Appeals for a term to expire June 30, 2027.

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RECESS.

Chair Wolfe-Garrison recessed the meeting at 6:50 p.m.

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PUBLIC HEARING – ORDINANCE AMENDMENT.

At 7:00 p.m., Chair Wolfe-Garrison opened the public hearing and explained the public hearing procedures. Zoning Administrator Getz reviewed the following staff-generated ordinance amendment:

OA22-1632 Amendment to the Rockingham County Code, Chapter 17 (Zoning Ordinance), Table 17-606 Land Use and Zoning Table to designate "Retail use not otherwise listed" as a Permitted (P) use in I-1 (Industrial district).

The Planning Commission recommended approval on August 2, 2022.

No members of the public spoke in favor or in opposition to the amendment.

Supervisor Ritchie inquired whether the proposed ordinance amendment would affect the ability for the County to consider special-use conditions for businesses falling in the "Retail use not otherwise listed" category in the Industrial district. Zoning Administrator Getz confirmed that if approved, the amendment would permit businesses in the "Retail use not otherwise listed" category to operate by right and would take away the opportunity for the Board to impose conditions.

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

On motion by Supervisor Kyger, seconded by Supervisor Breedon, and carried by a roll call vote of 4 to 1, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – NAY; WOLFE-GARRISON – AYE; the Board adopted the following Ordinance Amendment:

**ORDINANCE AMENDING
TABLE 17-606
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

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

That Table 17-606. Land Use and Zoning Table be and hereby is amended by designating “Retail use not otherwise listed” as a Permitted (P) use in I-1 (Industrial district).

| P: Permitted; SU: Special Use; A: Permitted Accessory; Asterisk *: Supplemental Standards Apply | Table 17-606. Land Use and Zoning Table | | | | | | | | | | | | | | | | | | | | | |
|--|---|-----|-------|------|-----|-----|-----|-----|-----|----|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| | A-1 | A-2 | RV | RR-1 | R-1 | R-2 | R-3 | PSF | PMF | PG | R-4 | R-5 | MH-1 | MHP | MXU | B-1 | B-2 | PCD | PMR | I-1 | PID | S-1 |
| Retail use not otherwise listed | | | P*/SU | | | | | | | | P | P | | P* | P | P | P | P | P | P | P | |

All other parts of Table 17-606 are re-affirmed.

This ordinance shall be effective from the 24th day of August 2022.

Adopted the 24th day of August 2022.

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PUBLIC HEARINGS.

REZ22-1554 MCGAHEYSVILLE VOLUNTEER FIRE COMPANY

Chair Wolfe-Garrison opened the public hearing at 7:12 p.m., and Planner Nicely reviewed the following rezoning request:

REZ22-1554 McGaheysville Volunteer Fire Company, 65 Stover Drive, McGaheysville, Virginia, to rezone 2.08 acres from A-2 (General Agricultural) to B-1 C (General Business with Conditions). The property is located at the north-west corner of the Spotswood Trail (Route 33) and Stover Drive (Route 649) intersection. Tax Map #128-(A)- L47. Election District 5.

The Planning Commission recommended approval on August 2, 2022.

McGaheysville Fire Chief Todd Breeden pointed out the importance of fundraising abilities for volunteer organizations. He said the COVID pandemic made it challenging for organizations to hold the typical fundraising events and said volunteers had to become innovative. Chief Breeden said the McGaheysville Fire Department would like to use its event building to lease space for a 24/7 gym.

No members of the public spoke.

Chair Wolfe-Garrison closed the public hearing at 7:14 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 approved REZ22-1554, McGaheysville Volunteer Fire Company, 65 Stover Drive, McGaheysville, Virginia, to rezone 2.08 acres from A-2 (General Agricultural) to B-1 C (General Business with Conditions). The property is located at the north-west corner of the Spotswood Trail (Route 33) and Stover Drive (Route 649) intersection. Tax Map #128-(A)- L47. Election District 5.

REZ22-1161 FARIS AL ANBARI

At 7:15 p.m., Chair Wolfe-Garrison opened the public hearing and Mr. Nicely presented the following request:

REZ22-1161 Faris Al Anbari, 79 Bear Crossing Court, Penn Laird, Virginia, to rezone 2.337 acres from B-1 C (General Business with Conditions) to R-3 C (General Residential with Conditions). The property is located on the west side of Bear Crossing Court, on the south side of Spotswood Trail (Route 33). Tax Map #126F-(9)- L9, L10, L11, and L12. Election District 3.

The Planning Commission recommended approval on August 2, 2022.

Mahdy Al Anbari was available to answer questions on behalf of his father, Faris Al Anbari.

No other members of the public commented.

Chair Wolfe-Garrison closed public hearing at 7:20 p.m.

On motion by Supervisor Chandler, 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 approved REZ22-1161 Faris Al Anbari, 79 Bear Crossing Court, Penn Laird, Virginia, to rezone 2.337 acres from B-1 C (General Business with Conditions) to R-3 C (General Residential with Conditions). The property is located on the west side of Bear Crossing Court, on the south side of Spotswood Trail (Route 33). Tax Map #126F-(9)- L9, L10, L11, and L12. Election District 3.

SUP22-1822 JOSEPH AND DONNA HARTMAN

At 7:22 p.m., Chair Wolfe-Garrison opened the public hearing and Zoning Administrator Getz reviewed the following request:

SUP22-1822 Joseph & Donna Hartman, 4484 John Deere Drive, Linville, Virginia 22834, for a machinery & equipment Center located on the east side of Harpine Highway (Route 42), approximately 0.45 mile south of Trissels Road (Route 809). Zoned A-1 (Prime Agricultural). Tax Map #65-(A)-L10. Election District 2.

The applicant was present.

No public comments were received.

Chair Wolfe-Garrison closed the public hearing at 7:25 p.m.

On behalf of Chair Wolfe-Garrison, 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 SUP22-1822 Joseph & Donna Hartman, 4484 John Deere Drive, Linville, Virginia 22834, for a machinery & equipment Center located on the east side of Harpine Highway (Route 42), approximately 0.45 mile south of Trissels Road (Route 809). Zoned A-1 (Prime Agricultural). Tax Map #65-(A)- L10. Election District 2.

SUP22-1788 AMY SHEPPARD

Chair Wolfe-Garrison opened the public hearing at 7:27 p.m., and Zoning Administrator Getz reviewed the following request:

SUP22-1788 Amy Sheppard, 10704 Wentworth Drive, Broadway, Virginia, for a commercial kennel (dog daycare and boarding) located on the north side of Wentworth Drive (Route 873), approximately 800 feet west of Phillips Store Road (Route 619). Zoned A-2 (General Agriculture). Tax Map #66-(A)- L83. Election District 1.

The applicant was available for questions.

Joanna Moyer-Diener and Betty Estad spoke in favor of the request. Both individuals commended Paws of Hope for its reliable service to the community.

Chair Wolfe-Garrison closed the public hearing at 7:33 p.m.

Discussion ensued concerning the number of dogs that could be permitted at the daycare. The applicant indicated she would have space for up to fifty dogs.

Supervisor Ritchie indicated he would like for Ordinance Amendment OA22-1581 (Kennel Operation Commercial) to be finalized before making a final decision on the request.

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 tabled SUP22-1788 Amy Sheppard, 10704 Wentworth Drive, Broadway, Virginia, for a commercial kennel (dog daycare and boarding) located on the north side of Wentworth Drive (Route 873), approximately 800 feet west of Phillips Store Road (Route 619). Zoned A-2 (General Agriculture). Tax Map #66-(A)- L83. Election District 1, until the County adopts a Commercial Dog Kennel Ordinance.

REZ22-1310 GAS CITY LLC

At 7:41 p.m., Chair Wolfe-Garrison opened the public hearing and Planner Nicely reviewed the following rezoning request:

REZ22-1310 Gas City LLC, 17768 Braemar Place, Leesburg, Virginia, to rezone 31.248 acres from A-2 (General Agricultural) to BX (Business Interchange). The property is located 0.2 mile north from the interstate overpass at Exit 257 in Mauzy. Tax Map #67-(A)- L66 & L67A. Election District 1.

The planning commission recommended approval by a vote of 3 to 2 on August 2, 2022.

On behalf of the applicant, Jeff Robb from Lee and Associates provided a detailed presentation and reviewed the rezoning request. Mr. Robb pointed out the need for more truck parking across the state and indicated 3,244 parking spaces are currently needed. He explained how travel centers alleviate overcrowding at other local rest areas, while providing a safe place for drivers to rest. Mr. Robb noted water pollution should be of no concern, as engineering professionals would carry out the design and build a facility to meet all Department of Environmental Quality (DEQ) requirements. He also reported that Imboden Environmental Services determined that the estimated water usage of 5,000 gallons per day was not a significant amount of water usage.

Also speaking on behalf of the applicant was Bill Moore of Balzer Engineering. Mr. Moore provided information and was available to answer questions.

Chair Wolfe-Garrison opened the floor for public comments at 8:08 p.m.

For the next hour, County residents and community members expressed opposition, and voiced concerns related to the impact the proposal would have on the surrounding Mauzy community. Loss of agricultural land, water pollution, stormwater issues, increased traffic, noise, litter, crime, and a lack of ground water were among the concerns expressed by many individuals. Others pointed out specific properties in the County better suited for a travel center, which are zoned for that type of use, are served by public water and sewer, and are currently for sale.

(The public hearing sign-up sheet, including the names of speakers at the public hearing is attached to and made a part of these minutes)

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RECESS PUBLIC HEARING.

Chair Wolfe-Garrison recessed the meeting at 9:10 p.m., for a short break.

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RECONVENE PUBLIC HEARING.

At 9:25 p.m., Chair Wolfe-Garrison reconvened the public hearing and proceeded with the public comment period.

At Supervisor Ritchie’s recommendation, Chair Wolfe-Garrison closed the public hearing at 9:29 p.m.

Supervisor Ritchie made the following statement:

“I have listened to and read many comments from the public, and I have listened to the presentation of the applicant and reviewed all their submittals. I agree that the Commonwealth of Virginia needs more travel centers on 81 for truckers and other travelers, and that interstate interchanges are the logical location for them. However, I believe there are better interchanges along this section of 81, both in Rockingham County and in our neighboring counties, than this particular intersection. One major concern for me is the availability of public water. Other interchanges have public water; this one does not. Furthermore, several years ago the General Assembly committed to improving and expanding rest-stops, so they are more useful to truckers. I believe the State government should be encouraged to follow through on its commitment.”

“Therefore, I move that we deny this rezoning request.”

The motion for denial was seconded by Supervisor Chandler. 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 denied REZ22-1310 Gas City LLC, 17768 Braemar Place, Leesburg, Virginia, to rezone 31.248 acres from A-2 (General Agricultural) to BX (Business Interchange). The property is located 0.2 mile north from the interstate overpass at Exit 257 in Mauzy. Tax Map #67-(A)- L66 & L67A. Election District 1.

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RECESS.

Chair Wolfe-Garrison recessed the meeting at 9:32 p.m., to allow attendees to exit the Board room.

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RECONVENE.

Chair Wolfe-Garrison reconvened the meeting at 9:42 p.m. and reported that SUP22-1310 for Gas City, LLC would not be heard.

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AMERICAN RESCUE PLAN ACT FUNDS (ARPA) FOR FY 22-23 BUDGET.

Mrs. Davidson explained that anytime a proposed budget amendment exceeds one percent of the total budget, a public hearing is required. She reviewed the proposed amendment and appropriation of \$14,900,000 from American Rescue Plan Act and the General Fund Reserve. Mrs. Davidson explained that the U.S. Department of Treasury guidance allows ARPA funds to be used for expenses associated with the provision of revenue loss and broadband. Funds will be used to support the local public safety division and provide broadband to the underserved in our community.

Chair Wolfe-Garrison opened the public hearing at 9:46 p.m.

No public comments were received.

At 9:46 p.m., Chair Wolfe-Garrison closed the public hearing.

On behalf of the Finance Committee, 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 adopted the following FY2022-2023 Supplemental Appropriation:

American Rescue Plan Appropriation

The County received \$15,917,438 in funding from the American Rescue Plan Act of 2021 (ARPA). Staff recommended using the standard allowance of \$10M for revenue loss as identified in the below excerpt from the ARPA guide. The \$10M can be applied over the next two fiscal years to Fire and Rescue salaries and benefits as that department has been on the front lines of responding to the stresses of COVID-19. Emergency Medical Transports have been the most direct response provided for COVID-19 patients since the start of the pandemic and continues today. In addition to the direct response, each staff member in the department has been called upon to work the multiple COVID vaccination and testing clinics across the County and the City of Harrisonburg. Revenue replacement allows the funds to be used for the “provision of police, fire and other public safety”. The salaries and benefits of the department seem most appropriate.

In addition to Revenue Loss, Rockingham County is participating in the Regional Broadband program and our portion is \$8.9M.

\$4.0M of revenue replacement was appropriated in fiscal year 2021-2022.

Supplemental Appropriation: \$14,900,000

| | | |
|--------------|---|-------------------------------|
| \$11,917,438 | GL Code: 1213-00000-13900-000-339520-000 | Federal ARPA Funding |
| \$2,982,562 | GL Code: 1001-09301-00000-000-509516-000 | Transfer to ARPA |
| \$2,982,562 | GL Code: 1213-00000-15101-000-351000-000 | Transfer from General Fund |
| \$6,000,000 | GL Code: 1213-03205-00000-000-various-000 | Fire/EMS Salaries and Benefit |
| \$8,900,000 | GL Code: 1213-03210-00000-000-503109-000 | Broadband |

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CLOSED MEETING.

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 recessed the meeting from 9:47 p.m. to 10:32 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.

| | |
|-----------------------------|-------------------------------|
| MOTION: SUPERVISOR KYGER | RESOLUTION NO: 22-11 |
| SECOND: SUPERVISOR CHANDLER | MEETING DATE: August 24, 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 10:35 p.m.

_____ ,
 Chairman