

September 14, 2022

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, September 14, 2022, at 3:00 p.m., at the Rockingham County Administration Center, Harrisonburg, Virginia.

The following members were present:

- DEWEY L. RITCHIE, Election District #1
- SALLIE WOLFE-GARRISON, Election District #2
- RICK L. CHANDLER, Election District #3
- WILLIAM B. KYGER, JR., Election District #4
- MICHAEL A. BREEDEN, Election District #5 – participated virtually

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
- RHONDA H. COOPER, Director of Community Development
- JENNIFER J. MONGOLD, Director of Human Resources
- PHILIP S. RHODES, Director of Public Works
- TERRI M. PERRY, Director of Technology
- MICHAEL L. BOWEN, Deputy Director of Technology
- KELLY S. GETZ, Zoning Administrator
- DYLAN L. NICELY, Land-Use Planner
- ADAM M. HANCOCK, Environmental Manager, Department of Engineering
- MOLLY S. BARNETT, Deputy Clerk
- DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation
- C. BURGESS LINDSEY, Assistant Residency Administrator
Virginia Department of Transportation

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

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

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

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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 August 24, 2022.

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RESOLUTION – OPERATION GREEN LIGHT.

Supervisor Kyger spoke about Operation Green Light, an initiative by the National Association of Counties (NACo) and the National Association of County Veteran Service Officers (NACVSO). These organizations invite the nation’s 3,069 counties, parishes, and boroughs to join Operation Green Light and show support for veterans by shining a green light.

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 resolution:

**RESOLUTION
Supporting Operation Green Light for Active Military
Service Members in Transition to Civilian Life**

WHEREAS, the residents of Rockingham County have great respect, admiration, and the utmost gratitude for all the men and women who have selflessly served their country and this community by serving in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women that served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by United States citizens; and

WHEREAS, Rockingham County seeks to honor the individuals who have paid the high price for freedom by placing themselves in harm’s way for the good of all; and

WHEREAS, Veterans continue to serve their communities through the American Legion, Veterans of Foreign Wars, church groups, and civil service; and

WHEREAS, approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, it is estimated that there will be an additional 20 percent increase in service members transitioning to civilian life in the near future; and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year of military service; and

WHEREAS, studies indicate that 44 to 72 percent of service members experience high levels of stress while transitioning from the military to civilian life; and

WHEREAS, the Rockingham County Board of Supervisors recognizes the sacrifices Military personnel make while defending freedom, the Board encourages citizens to express appreciation for their service and demonstrate the honor and support veterans have earned.

NOW, THEREFORE, BE IT RESOLVED, that the Rockingham County Board of Supervisors recognizes October through Veterans Day on November 11, 2022, as a time to salute and honor the service and sacrifice of men and women in uniform transitioning from Active Service; and

BE IT FURTHER RESOLVED, that in observance of Operation Green Light, the Rockingham County Board of Supervisors encourages citizens and businesses to recognize the importance of honoring those whose immeasurable sacrifices helped to preserve freedom, by displaying a green light in a window of their place of business or residence.

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RESOLUTION – COMMUNITY COUNSELING CENTER.

Jim Elmore, President of the Board of Directors, appeared on behalf of the Community Counseling Center to accept a Resolution acknowledging the work and contributions of the Center.

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
IN RECOGNITION OF
THE COMMUNITY COUNSELING CENTER**

WHEREAS, services to promote mental health are recognized as a primary need in all communities in Virginia;

WHEREAS, in 1972, the Community Counseling Center (CCC) was created after stakeholders realized a need for professional, affordable counseling in Harrisonburg City and Rockingham County;

WHEREAS, the Community Counseling Center has been providing said services to Rockingham County and the City of Harrisonburg since August 21, 1972, operating as a 501-3(c) organization;

WHEREAS, the staff at the Community Counseling Center anticipated the needs of its community by providing individual, couples, family, and group counseling to children and adults;

WHEREAS, during 2017 and 2018, with major renovations required to continue operations in the original building, St. Stevens United Church of Christ graciously allowed the Center to continue to operate in the church building during this time;

WHEREAS, during the pandemic of 2020 and 2021 the Community Counseling Center continued to provide therapy services using tele-health technologies;

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

1. Acknowledges that counseling centers across Virginia have provided services during times of crisis, and other difficulties, and applauds those actions;
2. Celebrates the creativity, leadership, and commitment to service demonstrated by the entire staff of the Community Counseling Center, beginning in August 1972;
3. Recognizes the powerful example of community engagement set by the staff of the Community Counseling Center through their work with children, parents, and adults in their community;
4. Hereby adopts this resolution acknowledging the work and contributions of the Community Counseling Center, its current and former staff, and its current and former board members.

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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.

Director of Community Development Cooper reported the County is still seeking revenue-sharing projects for the Capital Improvement Plan (CIP). Ms. Cooper informed the Board about the application timeline and process.

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FINANCE DEPARTMENT STAFF REPORT.

Director of Public Works Rhodes recalled that the County sought proposals for security system preventative maintenance, repair, and upgrade services. He stated the request for proposals closed on August 18 with two responses. Staff recommended awarding the project to Hawk Security Systems, Inc. for a three-year term to expire on June 30, 2025, including two one-year renewals.

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 contract to Hawk Security Systems, Inc. for a three-year term to expire on June 30, 2025, with two one-year renewals included.

Chair Wolfe-Garrison recalled that the County has not had memorandums of understanding regarding how Constitutional Offices operate in relation to County policies. The Finance Department proposed agreements to align policies, except the grievance policy. Agreements for the Commissioner of Revenue and Treasurer are under consideration, with other Constitutional Officer Agreements to be reviewed in the future, she said.

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 Agreements:

**AGREEMENT BETWEEN THE
 BOARD OF SUPERVISORS
 AND THE
 TREASURER
 OF ROCKINGHAM COUNTY, VIRGINIA**

THIS AGREEMENT, effective September 15, 2022, and established pursuant to Virginia law and governed thereby, is between the *Treasurer* and the *Board of Supervisors* of Rockingham County, Virginia.

The Treasurer and the Board of Supervisors hereby agree that the County Personnel Policies and Procedures Manual (the Personnel Manual) is extended to cover all employees and deputies of the Treasurer, except for the Treasurer themselves, thereby establishing a uniform personnel system to the end that the Treasurer's employees and deputies will have the same rights and benefits and will be subject to the same procedures and regulations as other County employees, except as provided herein. The Treasurer shall have all authority as designated in the Personnel Manual for a Department Head.

Employees and deputies of the Treasurer will be subject to the County's personnel policies and regulations, excepting the County's grievance procedure. Fringe benefits and future pay increases shall be set by the Board of Supervisors, notwithstanding salary levels set by the State Compensation Board, but in no event shall the salary be less than that established by the State Compensation Board. The staff and Treasurer will also receive any funded salary supplements pursuant to a professional development program, or any similar program, approved by the State Compensation Board.

Nothing in this Agreement shall be interpreted to infringe upon the authority of the Treasurer to control the operations of their office, including, without limitation, the authority:

- (1) to direct the work of the employees and deputies;
- (2) to hire, promote, transfer, or appoint employees and deputies; or
- (3) to discipline, suspend, demote, dismiss, or terminate the appointment of any employee or deputy. Such authority, however, shall be exercised by the Treasurer in accordance with the Personnel Manual, provided however, that the Treasurer's authority to terminate the appointment of any employee or deputy pursuant to Virginia Code Section 15.2-1603, shall not be infringed by this Agreement.

The Treasurer further agrees to adhere to the County holiday schedule as approved by the Board of Supervisors, and to conform to the County's inclement weather closing decisions as approved by the County Administrator.

The Treasurer agrees to abide by all applicable State and Federal laws regarding FLSA, FMLA, EEO/AA and other such applicable statutes as applied to appointees of elected officials.

This Agreement shall remain in effect until amended or discontinued by either party by the giving of sixty (60) days written notice to the other party. In the event this Agreement is cancelled, no salary of any employee or deputy shall be diminished should the salary set by the State Compensation Board be less than that established by the Board of Supervisors. The Board of Supervisors, however, shall not be obligated to increase the salary of any employee or deputy so affected above the level set by the State Compensation Board, regardless of increases provided by the Virginia General Assembly.

The County's Human Resources Office shall maintain the official records of all employment actions for employees and deputies of the Treasurer. Records and forms will be submitted in accordance with procedures outlined by the County Administrator and/or stated in the Personnel Manual.

**AGREEMENT BETWEEN THE
BOARD OF SUPERVISORS
AND THE
COMMISSIONER OF THE REVENUE
OF ROCKINGHAM COUNTY, VIRGINIA**

THIS AGREEMENT, effective September 15, 2022, and established pursuant to Virginia law and governed thereby, is between the *Commissioner of the Revenue* and the *Board of Supervisors* of Rockingham County, Virginia.

The Commissioner of the Revenue and the Board of Supervisors hereby agree that the County Personnel Policies and Procedures Manual (the Personnel Manual) is extended to cover all employees and deputies of the Commissioner of the Revenue, except for the Commissioner of the Revenue themselves, thereby establishing a uniform personnel system to the end that the Commissioner of the Revenue's employees and deputies will have the same rights and benefits and will be subject to the same procedures and regulations as other County employees, except as provided herein. The Commissioner of the Revenue shall have all authority as designated in the Personnel Manual for a Department Head.

Employees and deputies of the Commissioner of the Revenue will be subject to the County's personnel policies and regulations, excepting the County's grievance procedure. Fringe benefits and future pay increases shall be set by the Board of Supervisors, notwithstanding salary levels set by the State Compensation Board, but in no event shall the salary be less than that established by the State Compensation Board. The staff and Commissioner of the Revenue will also receive any funded salary supplements pursuant to a professional development program, or any similar program, approved by the State Compensation Board.

Nothing in this Agreement shall be interpreted to infringe upon the authority of the Commissioner of the Revenue to control the operations of their office, including, without limitation, the authority:

- (1) to direct the work of the employees and deputies;
- (2) to hire, promote, transfer, or appoint employees and deputies; or
- (3) to discipline, suspend, demote, dismiss, or terminate the appointment of any employee or deputy. Such authority, however, shall be exercised by the Commissioner of the Revenue in accordance with the Personnel Manual, provided however, that the Commissioner of the Revenue's authority to terminate the appointment of any employee or deputy pursuant to Virginia Code Section 15.2-1603, shall not be infringed by this Agreement.

The Commissioner of the Revenue further agrees to adhere to the County holiday schedule as approved by the Board of Supervisors, and to conform to the County's inclement weather

closing decisions as approved by the County Administrator.

The Commissioner of the Revenue agrees to abide by all applicable State and Federal laws regarding FLSA, FMLA, EEO/AA and other such applicable statutes as applied to appointees of elected officials.

This Agreement shall remain in effect until amended or discontinued by either party by the giving of sixty (60) days written notice to the other party. In the event this Agreement is cancelled, no salary of any employee or deputy shall be diminished should the salary set by the State Compensation Board be less than that established by the Board of Supervisors. The Board of Supervisors, however, shall not be obligated to increase the salary of any employee or deputy so affected above the level set by the State Compensation Board, regardless of increases provided by the Virginia General Assembly.

The County’s Human Resources Office shall maintain the official records of all employment actions for employees and deputies of the Commissioner of the Revenue. Records and forms will be submitted in accordance with procedures outlined by the County Administrator and/or stated in the Personnel Manual.

On behalf of the Finance Committee, 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 declared the following items surplus to be disposed of on the public surplus website:

Department	Description	Quantity
Fire & Rescue	2008 Chevrolet Silverado-Vehicle 3089	1
Social Services	2002 GMC Van-Vehicle 1231	1
Social Services	2004 Dodge 4D SDN-Vehicle 3019	1
Social Services	2006 Chevrolet 4D SDN-Vehicle 3058	1
Social Services	2007 Chevrolet 4D SDN-Vehicle 3076	1

FINANCE COMMITTEE

Supervisor Chandler reported the County received \$24,967.39 from an Opioid Settlement that the County joined as a class action lawsuit against Opioid Distributors. Chair Wolfe-Garrison stated if approved, the funding would be provided to the Harrisonburg-Rockingham Community Services Board for those in the community receiving treatment related to opioid abuse and addiction.

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: \$24,967.39

\$24,967.39	1001-00000-11899-000-318990-000	Miscellaneous Revenue
\$24,967.39	1001-05205-00000-000-505699-000	Other Contributions

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DIRECTOR OF HUMAN RESOURCES.

Jennifer Mongold, Director of Human Resources, said the Virginia Retirement System (VRS) allows localities to adopt a higher retirement multiplier for hazardous duty employees by Resolution. Staff recommended the Board adopt the resolution primarily for recruiting purposes.

In response to a question from Supervisor Ritchie, Ms. Mongold clarified that although the Virginia General Assembly did not pass the resolution, localities are permitted to do so.

Supervisor Chandler made a motion to adopt the resolution, with a second from Supervisor Kyger.

Supervisor Ritchie inquired about the increased cost per person. Administrator King responded the County’s annual portion is about \$180,000. He noted this number was a current figure and would change in the future. After discussion, the Board opted to take no action.

Without objection, Supervisor Chandler withdrew his motion from the floor and Supervisor Kyger withdrew his second.

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DIRECTOR OF COMMUNITY DEVELOPMENT.

Ms. Cooper stated that REZ22-1611 Cathcart Properties Inc. was scheduled to be heard by the Board on September 28, 2022. Due to a scheduling conflict, the applicant requested the rezoning be delayed until October 12, 2022.

Ms. Cooper also reported Valley Engineering requested the public hearing requirement be waived on an amendment to the Crossroads Farm Plan Description, which would not affect use or density. Virginia Code Section 15.2-2302.B which addresses the amending of proffered conditions, states that “where such amendment does not affect conditions of use or density, a local governing body may waive the requirement for a public hearing.” Ms. Cooper indicated the amendment to the Plan Description would modify the allowable height of the townhouses stated in the Plan Description.

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 the request from Valley Engineering to waive the public hearing requirement for an amendment to the Crossroads Farm Plan Description.

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DIRECTOR OF ENGINEERING.

Adam Hancock, Environmental Manager for the Department of Engineering, gave an update on the Taylor Spring Detention Basin project. Mr. Hancock presented images to the Board from the most recent site visit.

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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 4:47 p.m. to 5:07 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 Section 2.2-3711.A(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: 22-12
MEETING DATE: September 14, 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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RECESS.

Chair Wolfe-Garrison recessed the meeting for dinner at 5:07 p.m.

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RECONVENE.

Chair Wolfe-Garrison reconvened the regular meeting at 6:00 p.m.

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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 6:01 p.m. to 6:17 p.m., for a closed meeting pursuant to Section 2.2-3711.A(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: 22-13
MEETING DATE: September 14, 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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PUBLIC HEARING – SPECIAL USE PERMITS.

Chair Wolfe-Garrison reconvened the regular meeting at 6:20 p.m. and Zoning Administrator Getz reviewed the following request:

SUP22-1870 David Shank, 5168 Beaver Creek Road, Bridgewater, VA, for a machinery and equipment center located on the north side of Beaver Creek Road (Route 752), approximately 0.1 mile west of Silver Creek Road (Route 752). Zoned A-1 (Prime Agricultural). Tax Map #121-(A)- L70. Election District 4.

David Shank was present and available for questions.

No members of the public spoke regarding the request.

At 6:23 p.m., Chair Wolfe-Garrison closed the public hearing.

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 approved SUP22-1870 David Shank, 5168 Beaver Creek Road, Bridgewater, VA, for a machinery and equipment center located on the north side of Beaver Creek Road (Route 752), approximately 0.1 mile west of Silver Creek Road (Route 752). Zoned A-1 (Prime Agricultural). Tax Map #121-(A)- L70. Election District 4.

At 6:24 p.m. Chair Wolfe-Garrison reopened the public hearing and Mr. Getz reviewed the following request:

SUP22-1878 Land & Home, LLC, 566 East Market Street, Harrisonburg, VA, for a small contractor’s business located on the west side of Boyers Road (Route 704), approximately 400 feet north of Stone Spring Road (Route 280). Zoned A-2 (General Agricultural). Tax Map #125-(A)- L194A. Election District 3.

Nathan Blackwell appeared on behalf of Land & Home, LLC.

No members of the public spoke concerning the request.

At 6:27 p.m., Chair Wolfe-Garrison closed the public hearing.

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 SUP22-1878 Land & Home, LLC, 566 East Market Street, Harrisonburg, VA, for a small contractor’s business located on the west side of Boyers Road (Route 704), approximately 400 feet north of Stone Spring Road (Route 280). Zoned A-2 (General Agricultural). Tax Map #125-(A)- L194A. Election District 3.

At 6:28 p.m., Chair Wolfe-Garrison reopened the public hearing and Mr. Getz reviewed the following request:

SUP22-1912 Weldon L. Heatwole, 299 Nicholson Road, Elkton, VA, for an additional dwelling, located on the east side of Nicholson Road (Route 639) approximately 1,700 feet south of Spotswood Trail (Route 33). Zoned A-1 (Prime Agricultural). Tax Map #130-(A)- L122. Election District 5.

Applicant Weldon Heatwole was present and available for questions.

No members of the public spoke regarding the request.

At 6:30 p.m., Chair Wolfe-Garrison closed the public hearing.

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 approved SUP22-1912 Weldon L. Heatwole, 299 Nicholson Road, Elkton, VA, for an additional dwelling, located on the east side of Nicholson Road (Route 639) approximately 1,700 feet south of Spotswood Trail (Route 33). Zoned A-1 (Prime Agricultural). Tax Map #130-(A)- L122. Election District 5.

Chair Wolfe-Garrison reopened the public hearing at 6:32 p.m. and Mr. Getz reviewed the following request:

SUP22-1917 Cedar Run Church of the Brethren, PO Box 46, New Market, VA, for a cemetery located on the north side of Cedar Run Trail (Route 786) approximately 0.5 mile east of Hisers Lane (Route 752). Zoned A-2 (General Agricultural). Tax Map #50-(A)- L131A. Election District 1.

Jim Rhodes appeared on behalf of Cedar Run Church of the Brethren. In response to a question from Chair Wolfe-Garrison, Mr. Rhodes confirmed trees will not need to be removed to accommodate a new cemetery.

No members of the public spoke regarding the request.

At 6:34 p.m., Chair Wolfe-Garrison closed the public hearing.

On motion by Supervisor Ritchie, seconded by Supervisor Kyger, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board approved SUP22-1917 Cedar Run Church of the Brethren, PO Box 46, New Market, VA, for a cemetery located on the north side of Cedar Run Trail (Route 786) approximately 0.5 mile east of Hisers Lane (Route 752). Zoned A-2 (General Agricultural). Tax Map #50-(A)- L131A. Election District 1.

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PUBLIC HEARING – ORDINANCE AMENDMENTS.

At 6:36 p.m., Chair Wolfe-Garrison opened the public hearing. Zoning Administrator Getz presented the following ordinance amendment:

OA22-1846 Amendment to the Rockingham County Code, Chapter 16 (Subdivision of Land), Section 16-9 (Exceptions to subdivision) to require a waiting period after purchasing property for certain types of non-family divisions in the A-1 (Prime Agricultural) and A-2 (General Agricultural) districts.

Mac Nichols, local attorney, requested the Board consider tabling the ordinance to provide more opportunity for further commentary from the legal and real estate communities. He said a waiting period of seven years is too long. Mr. Nichols expressed concern that the ordinance language was inconsistent and ambiguous.

Nathan Blackwell stated he owns several A-2 zoned properties and believed a shorter waiting period should be considered.

County Attorney Tom Miller clarified that this amendment only affects people who buy property and try to immediately subdivide, it and would not apply to family divisions.

At 6:50 p.m., Chair Wolfe-Garrison closed the public hearing.

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 tabled OA22-1846 Amendment to the Rockingham County Code, Chapter 16 (Subdivision of Land), Section 16-9 (Exceptions to subdivision) to require a waiting period after purchasing property for certain types of non-family divisions in the A-1 (Prime Agricultural) and A-2 (General Agricultural) districts.

At 6:55 p.m. Chair Wolfe-Garrison reopened the public hearing and Mr. Getz presented the following ordinance amendment:

OA22-1920 Amendment to the Rockingham County Code, Chapter 17 (Zoning Ordinance), Sections 17-502.02, 17-504.02, 17- 505.02, 17-506.02, 17-507.02, 17-508.02, and 17-510.02 to amend these Agricultural and Forestal District descriptions to provide consistency with other Agricultural and Forestal District descriptions concerning acreage totals.

No members of the public spoke concerning the amendment.

At 6:57 p.m. Chair Wolfe-Garrison closed the public hearing.

On motion by Supervisor Ritchie, seconded by Supervisor Kyger, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; RITCHIE – AYE; WOLFE-GARRISON – AYE; the Board adopted the following ordinance amendment:

ORDINANCE REPEALING AND RE-ENACTING
SECTIONS 17-502.02, 17-504.02, 17-505.02, 17-506.02,
17-507.02, 17-508.02, AND 17-510.02
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA

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

Section One.

That Sec. 17-502.02. Description hereby is repealed and re-enacted as follows:

Sec. 17-502.02. Description.

The Cross Keys Agricultural and Forestal district is comprised of seventy-seven (77) parcels spanning two thousand sixty (2,060) acres, more or less, 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:

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

Section Two.

That Sec. 17-504.02. Description hereby is repealed and re-enacted as follows:

Sec. 17-504.02. Description.

The Dry River Agricultural and Forestal district shall consist of the following land: two hundred fifty-five (255) parcels spanning six thousand four hundred forty-four (6,444) acres, more or less, generally located south of Hinton, west of John Wayland Highway (Route 42), east of Ottobine, and north of the Town of Bridgewater, which includes the parcels shown on Rockingham County real estate maps, as of the effective date of this district, numbered as:

All other portions of Section 17-504 are re-affirmed.

Section Three.

That Sec. 17-505.02. Description hereby is repealed and re-enacted as follows:

Sec. 17-505.02. Description.

The Keezletown North Agricultural and Forestal district shall consist of the following land: sixty (60) parcels spanning one thousand, eight hundred forty-two (1,842) acres, more or less, generally located north of the intersection of Indian Trail Road (Route 620) and Caverns Drive (Route 685), east of the intersection of Indian Trail Road (Route 717) and Minnie Ball Lane (Route 718), south of the intersection of Armentrout Path (Route 722) and Airey Lane (Route 868), and west of Lairds Knob, which includes the parcels shown on Rockingham County Real Estate Maps, as of the effective date of this district, numbered as:

All other portions of Section 17-505 are re-affirmed.

Section Four.

That Sec. 17-506.02. Description hereby is repealed and re-enacted as follows:

Sec. 17-506.02. Description.

The Keezletown South Agricultural and Forestal district shall consist of the following land: seventeen (17) parcels spanning four hundred forty-two (442) acres, more or less, generally located north of Spotswood Trail (Route 33), east of Indian Trail Road (Route 620), south of the intersection of Indian Trail Road (Route 717) and Mountain Valley Road (Route 620), and west of Massanutten Peak, which includes the parcels shown on Rockingham County Real Estate Maps, as of the effective date of this district, numbered as:

All other portions of Section 17-506 are re-affirmed.

Section Five.

That Sec. 17-507.02. Description hereby is repealed and re-enacted as follows:

Sec. 17-507.02. Description.

The Oak Grove Agricultural and Forestal district shall consist of the following land: sixty-two (62) parcels totaling one thousand three hundred seventy-three (1,373) acres, more or less, centered at the intersection of West Mosby Road (Route 701) and Pike Church Road (Route 712). The western boundary of the district abuts the Town of Dayton; the southern boundary of the district abuts the Town of Bridgewater; the western edge of the district lies approximately one thousand six hundred (1,600) feet from the City of Harrisonburg; and the northern edge of the district lies approximately one-half (0.5) mile from the City of Harrisonburg, numbered as:

All other portions of Section 17-507 are re-affirmed.

Section Six.

That Sec. 17-508.02 Description hereby is repealed and re-enacted as follows:

Sec. 17-508.02 Description.

The Ottobine Agricultural and Forestal district shall consist of the following land: thirty-three (33) parcels spanning one thousand six hundred eighty-six (1,686) acres, more or less, generally located west of Ottobine in the southwestern portion of Rockingham County. In relation to the other nearby agricultural-forestal districts, the district is west of Dry River, northwest of Spring Creek and southwest of Western Rockingham. The district is compact rather than sprawling, extending in the north to Wheelbarger Hollow (Layman Hollow Lane), in the northeast to Union Springs Road, and to Briery Branch in the south. An isolated one-acre parcel, surrounded by the Spring Creek Agricultural and Forestal district, is even farther south at the southeast junction of Briery Branch Road and Spring Creek Road (Route 613). In the east, the district is adjacent to Ottobine Elementary School and on the west borders George Washington National Forest. The following parcels shown on county real estate maps, as of the effective date of this district, are part of the Ottobine district and numbered as:

All other portions of Section 17-508 are re-affirmed.

Section Seven.

Sec. 17-510.02. Description hereby is repealed and re-enacted as follows:

Sec. 17-510.02. Description.

The Western Rockingham Agricultural and Forestal district shall consist of the following land: one hundred thirty-eight (138) parcels spanning five thousand four hundred sixty-seven (5,467) acres, more or less, generally located north of Rawley Pike (Route 33) and south of Greenmount Road (Route 772), west of the Harrisonburg city limits and east of the George Washington National Forest. The following parcels shown on county real estate maps, as of the effective date of this district, are numbered as:

All other portions of Section 17-510 are re-affirmed.

At 6:59 p.m., Chair Wolfe-Garrison opened the public hearing and reviewed the following proposed ordinance:

Intent to adopt a proposed ordinance to reduce the personal property tax rate for certain personal property, including personal and business vehicles, and other vehicles, from \$3.00 to \$2.65 per \$100.00 of assessed value. If adopted, the proposed ordinance will be effective for tax years 2022, 2023, and 2024.

Chair Wolfe-Garrison explained that the County's main sources of revenue are real estate and personal property taxes. As the current approved budget indicates the personal property tax multiplier of \$3.00 results in excess funds, the Board has been asked to consider a reduction to \$2.65.

No members of the public spoke regarding the request.

Chair Wolfe-Garrison closed the public hearing at 7:06 p.m.

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 approved the ordinance as presented. (The Board intends to adopt the ordinance during the September 28, 2022, meeting).

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ADJOURN.

Chair Wolfe-Garrison declared the meeting adjourned at 7:07 p.m.

Chairman