

December 14, 2016

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, December 14, 2016, at 3:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

- PABLO CUEVAS, Election District #1
- FREDERICK E. EBERLY, Election District #2
- RICKY L. CHANDLER, Election District #3
- WILLIAM B. KYGER, JR., Election District #4
- MICHAEL A. BREEDEN, Election District #5

Also present:

LOWELL R. BARB, Commissioner of the Revenue

- STEPHEN G. KING, County Administrator
- THOMAS H. MILLER, JR., County Attorney
- GEORGE K. ANAS, II, Assistant County Administrator
- CASEY B. ARMSTRONG, Director of Community Development
- PATRICIA D. DAVIDSON, Director of Finance
- ANN MARIE FREEMAN, Director of Court Services
- LISA B. GOODEN, Registrar
- BARRY E. HERTZLER, Director of Public Works
- JEREMY C. HOLLOWAY, Fire & Rescue Chief
- KATHARINE S. McQUAIN, Director of Parks and Recreation
- JENNIFER J. MONGOLD, Director of Human Resources
- TERRI M. PERRY, Director of Technology
- RHONDA H. COOPER, Director of Planning
- KELLY S. GETZ, Code Compliance Officer
- JAMES B. MAY, Senior Planner
- JUSTIN S. MOYERS, Deputy Finance Director
- DIANA C. STULTZ, Zoning Administrator
- TAMELA S. GRAY, Deputy Clerk
- DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation
- JOSHUA W. DUNLAP, Assistant Residency Administrator
Virginia Department of Transportation
- C. BURGESS LINDSEY, Assistant Residency Administrator
Virginia Department of Transportation

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CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE.

Chairman Kyger called the meeting to order at 3:01 p.m. Chairman Kyger gave the Invocation and Director of Community Development Armstrong led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

On motion by Supervisor Eberly, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS

- AYE; EBERLY - AYE; KYGER - AYE; the Board approved the minutes of the regular meeting of November 16, 2016.

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RECOGNITION – SUE ARMBRUSTER, DEPUTY II, TREASURER’S OFFICE.

On behalf of the Board, Chairman Kyger thanked retiree Sue Armbruster for her service in the Treasurer’s Office. He said Mrs. Armbruster served the County well for many years with a pleasant attitude, and he thanked her for her kind service to the County.

The Board members presented a clock to Mrs. Armbruster to recognize her retirement on January 1, 2017, after 30 years of service.

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RECOGNITION – JIM NORTHUP, SUPERINTENDENT, SHENANDOAH NATIONAL PARK AND CEDAR CREEK AND BELLE GROVE NATIONAL HISTORICAL PARK.

On behalf of the Board, Administrator King read the following resolution honoring Jim Northup, Superintendent for Shenandoah National Park and Cedar Creek and Belle Grove National Historical Park, for his 36 years of service to the National Park Service.

RESOLUTION

WHEREAS, Jim Northup, Superintendent of Shenandoah National Park and Cedar Creek and Belle Grove National Historical Park will retire on January 2, 2017, after thirty-six years of dedicated service with the United States National Park Service, including work at numerous National Parks throughout the United States and international conservation work in Mexico, Canada, the Republic of Georgia, and China; and

WHEREAS, Mr. Northup worked as an interpretive and protection ranger, natural resources specialist, wildland fire and aviation specialist, and chief ranger prior to being named superintendent, and has managed programs involving high profile and controversial natural, cultural and visitor use management issues; and

WHEREAS, Mr. Northup has also served as an Operations Section Chief and an Incident Commander for the National Park Service (NPS); held a NPS Type I Law Enforcement Commission; was a park medic and certified NPS SCUBA diver; was certified in heli-rappel and short haul; was active in technical rescue work and held numerous qualifications in wildland fire and all-risk incident management; and

WHEREAS, in 2013, Mr. Northup was appointed Superintendent of Shenandoah National Park and has worked tirelessly with the Blue Ridge Committee to facilitate positive relationships and communication between the Park and its eight adjacent counties, sharing his wealth of knowledge of park operations, park wildlife and environmental conditions, and the scientific research within the park, thereby helping to foster a greater appreciation and respect for Shenandoah National Park; and

WHEREAS, Mr. Northup was instrumental during the Rocky Mount fire that originated in the Shenandoah National Park in the spring of 2016, by providing information about the terrain of the park with citizens during community meetings, attending briefings with command staff, and assisting the Southern Type 1 Red Incident Management Team and local fire and rescue departments through his extensive knowledge concerning the park; and

WHEREAS, in working with the County, Mr. Northup displayed the highest level of professionalism and genuine care and compassion for residents and property owners in the County, particularly during the Rocky Mount fire incident when he made clear his two primary goals were to protect firefighters and citizens, and keep the fire within the Park boundaries.

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors hereby recognizes Mr. Northup, Superintendent of the Shenandoah National Park, in his retirement, and expresses its sincere gratitude for his thirty-six years of dedicated service to the National Park Service, and most recently to Rockingham County and its citizens.

Supervisor Breeden noted that one of his first responsibilities on the Board was to work with the parks and federal related-land committee. He said Mr. Northup has enhanced the park's relationship with citizens in Elkton and stated Mr. Northup is a scholar of a gentleman.

On motion by Supervisor Breeden, seconded by Supervisor Cuevas, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board approved the resolution recognizing Jim Northup on his retirement.

Supervisor Breeden and Ms. Cooper presented Mr. Northup with a framed resolution.

Mr. Northup said it has been a pleasure to work with the County, and he acknowledged Chief Holloway's excellent work during the Rocky Mount fire.

Chairman Kyger said it has been a pleasure and honor to work with Mr. Northup as he is truly a gentleman who represents the park very well. He noted the park system is losing a great public servant.

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SALVATION ARMY FOOD DRIVE.

James William "Bucky" Berry invited the Board to attend the kickoff for the 8th Annual Brent Berry Food Drive on December 16, 2016, at 2:00 p.m. at the Harrisonburg Crossing Wal-Mart. Mr. Berry and his son, Brent, coordinate the food drive to benefit the Salvation Army. He reported that so far this year, they have assisted 3,200 families (11,000 people) by collecting \$64,000 worth of food.

Mr. Berry said in the eight years since they began the food drive, they have collected a half million dollars' worth of food for citizens in Harrisonburg and Rockingham County. This year's goal is to collect enough food to provide a year's supply to the Salvation Army's food pantry.

Brent Berry thanked the Board for supporting the food drive.

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COMPREHENSIVE ANNUAL FINANCIAL REPORT- PBMARES.

Betsy Hedrick, CPA, reported that PBMares issued the County an unmodified opinion on the Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2016. She highlighted several key points of the report. She said PBMares reported one finding that has been adjusted by management.

PBMares met with the Finance Committee to review the Comprehensive Financial Annual Report and management letter earlier in the day. The County's total net position for governmental and business type activities at June 30, 2016, was approximately \$38.5 million, which was a \$295,000 increase from 2015. She reported the unrestricted (unassigned) fund balance of the general funds meets the recommended appropriate level according to the Government Finance Officers Association.

Mrs. Hedrick introduced Audit Supervisor Shannon Brown, who was responsible for the day-to-day execution of the audit. She thanked staff in all departments for their courtesy and cooperation extended to her and her staff during the audit.

On behalf of the Finance Committee, on motion by Supervisor Breeden, seconded by Supervisor Chandler and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board accepted the Comprehensive Annual Financial Report (CAFR) for Fiscal Year ended June 30, 2016.

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2016 ELECTION AND ACCEPTANCE OF ABSTRACTS OF VOTES.

Registrar Lisa Gooden introduced Deputy Registrar Jennifer Frederick. She indicated managing an election, especially a presidential election, is a big task. Mrs. Gooden expressed appreciation to numerous people and departments for their assistance in preparation for the election, and thanked the Board for monetary support.

Mrs. Gooden reported that during the November election, there were 49,620 registered voters in Rockingham County, an increase of 3,355 from the previous year. A total of 37,737 citizens voted for a 76 percent turnout in the County. The precincts with the highest voter turnout were Cross Keys with 77 percent, and 74 percent each at Singers Glen and Port Republic. The precincts were staffed with 208 election officers. Fifteen volunteer Student Election Pages from the four high schools assisted at nine polling places and helped at the call center in the evening.

Mrs. Gooden noted the Registrar's office mailed 4,221 voter notices by bulk mail over a two and a half month span. The mailings included information regarding when to register to vote and when a voter needs to reregister.

Supervisor Cuevas said he, the Board and staff sincerely appreciate the work the registrar's office does, particularly this year since it was an unusual election with high emotions. He said Mrs. Gooden and her staff did a great job handling situations in a professional manner.

Chairman Kyger agreed, stating voters were treated with respect and dignity, and the election was performed effectively and efficiently, with lines kept to a minimum.

On motion by Supervisor Cuevas, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board accepted the report from the Registrar and instructed the Clerk to spread the following abstract of votes from the November 8, 2016 General Election in the minutes:

ABSTRACT of REFERENDUM VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

Proposed Constitutional Amendment Question 1

Should Article I of the Constitution of Virginia be amended to prohibit any agreement or combination between an employer and a labor union or labor organization whereby (i) nonmembers of the union or organization are denied the right to work for the employer, (ii) membership to the union or organization is made a condition of employment or continuation of employment by such employer, or (iii) the union or organization acquires an employment monopoly in any such enterprise?

<i>QUESTION RESPONSE</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Total YES votes	19844
Total NO votes	15231
Total Number of Overvotes for Question	0

ABSTRACT of REFERENDUM VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

Proposed Constitutional Amendment Question 2

Shall the Constitution of Virginia be amended to allow the General Assembly to provide an option to the localities to exempt from taxation the real property of the surviving spouse of any law-enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel who was killed in the line of duty, where the surviving spouse occupies the real property as his or her principal place of residence and has not remarried?

<i>QUESTION RESPONSE</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Total YES votes	29182
Total NO votes	6399
Total Number of Overvotes for Question	0

ABSTRACT of VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

President and Vice President

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Donald J. Trump - Republican	25990
Hillary Clinton - Democratic	9366
Gary Johnson - Libertarian	1088
Evan McMullin - Independent	610
Jill Stein - Green	208
Total Write-In Votes	225
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

**Member House of Representatives
District: 06**

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Robert W. "Bob" Goodlatte - Republican	26847
Kai E. Degner - Democratic	9999
Total Write-In Votes	102
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in the Town of BRIDGEWATER in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

**Mayor - Bridgewater
District: BRIDGEWATER**

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Theodore W. "Ted" Flory	2244
Total Write-In Votes	70
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in the Town of DAYTON in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

**Mayor - Dayton
District: DAYTON**

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Charles T. Long	538
Philip F. Way	238
Total Write-In Votes	4
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in the Town of ELKTON in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

Mayor - Elkton
District: ELKTON

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Wayne E. Printz	769
Randell L. Snow	583
Total Write-In Votes	13
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in the Town of GROTTUES in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

Mayor - Grottoes
District: GROTTUES

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Emily R. Holloway	1079
Total Write-In Votes	45
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in the Town of MT CRAWFORD in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

Mayor – Mt Crawford
District: MT CRAWFORD

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Alfred L. Cook	191
Total Write-In Votes	5
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in the Town of TIMBERVILLE in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

**Mayor - Timberville
District: TIMBERVILLE**

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Don P. Delaughter Jr.	826
Total Write-In Votes	37
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in the Town of BRIDGEWATER in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

**Member Town Council - Bridgewater
District: BRIDGEWATER**

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Travis L. Bowman	1775
Steven A. Schofield	1675
William D. Miracle	892
Total Write-In Votes	125
Total Number of Overvotes for Office	0

WRITE-INS CERTIFICATION

ROCKINGHAM
 COUNTY CITY TOWN

General **Special Election**

Member Town Council - Bridgewater
OFFICE TITLE

November 8, 2016
ELECTION DATE

DISTRICT NAME OR NUMBER, IF APPLICABLE

Page 1 of 1

WRITE-INS - SUMMARY

1. **Invalid** Write-Ins
2. **Valid** Write-Ins
3. **Total** Write-Ins

TOTAL VOTES RECEIVED (IN FIGURES)	
	23
ENTER TOTAL INVALID	_____
	994
ENTER TOTAL VALID	_____
	1017
ADD LINES 1 AND 2	_____

VALID WRITE-INS – DETAIL

	TOTAL VOTES RECEIVED (IN FIGURES)
Anderlite, Harold	<u>1</u>
Bailey, Eric	<u>1</u>
Baren, Mary	<u>1</u>
Baugher, Donna	<u>2</u>
Bell, Don	<u>1</u>
Bowen, Bill	<u>1</u>
Bowen, Michael	<u>10</u>
Bowen, Richard L.	<u>1</u>
Butler, Jim	<u>1</u>
Canada	<u>1</u>
Chevalier, Gregg	<u>1</u>
Clark, Gregory	<u>1</u>
Clinton, Hilliary	<u>1</u>
Collier, Mark	<u>1</u>
Collier, Marti	<u>1</u>
Curry, Jackson	<u>1</u>
Daff, Daniel	<u>1</u>
Davis, Nolan	<u>1</u>
Disheroon, Grant	<u>1</u>
Eggleston, Bob	<u>1</u>
Elkins, Larry	<u>1</u>
Farley, Stacy	<u>2</u>
Fletcher, M.	<u>1</u>
Ford, Karen	<u>1</u>
Gaines, Kellie	<u>1</u>
Gerald, Brent	<u>1</u>
Griffin, Wes	<u>1</u>
Hanlon, Mary	<u>1</u>

Harper, Dick	<u>1</u>
Heatwole, Dale	<u>1</u>
Higgs, Jim	<u>3</u>
Hill, Bobby	<u>1</u>
Huffer, Boyd	<u>1</u>
Huffer, Rebecca	<u>1</u>
Huffman, David	<u>1</u>
Jahne, Dave	<u>1</u>
Johnson, J. Robert	<u>1</u>
Jones, Michael	<u>1</u>
Kern, Dawn	<u>2</u>
Kerns, Jackie	<u>1</u>
Kyger, Bill	<u>1</u>
L, Jacob	<u>1</u>
L, Robert	<u>1</u>
Lamb, Carolyn	<u>1</u>
Lambert, Paige	<u>1</u>
Laprade, Joe	<u>2</u>
Layman, Ellen	<u>1</u>
Layman, Jeff	<u>1</u>
Lent, Robert H.	<u>1</u>
Lloyd, Robert J.	<u>1</u>
Mar, Bill	<u>1</u>
Marshall, Kathy	<u>1</u>
Matthew	<u>1</u>
McCoy, Kathleen	<u>1</u>
Metz, Daryl	<u>1</u>
Miller, Nathan	<u>2</u>
Miller, Robert S.	<u>1</u>
Moyers, Alan	<u>1</u>

Overman, Michael	<u>1</u>
Price, June	<u>1</u>
Reedy, Dale	<u>1</u>
Ryf, Colleen	<u>1</u>
Sandum, Evelyn	<u>1</u>
Shull, Ervin	<u>1</u>
Silva, Maureen	<u>1</u>
Stavbus, Phil	<u>1</u>
Stickley, Dilianna	<u>1</u>
Swink, Sarah	<u>1</u>
Tesh, Ray Franklin	<u>1</u>
Vance, Amanda	<u>1</u>
Vought, Lynda	<u>1</u>
Weisman, Taylor	<u>1</u>
Whitelow, Carlyle	<u>2</u>
Wilfong, Dale	<u>9</u>
Williams, Chuck	<u>1</u>
Williams, Cindy	<u>1</u>
Wine, Jeff	<u>1</u>
	102

ABSTRACT of VOTES

Cast in the Town of DAYTON in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

Member Town Council - Dayton
District: DAYTON

*NAMES OF CANDIDATES ON THE BALLOT**TOTAL VOTES RECEIVED
(IN FIGURES)*

Shelley P. Newman	491
Laura J. Daily	411
Jeffrey S. Daly	408
L. Todd Collier	393

Zachary W. Fletchall	303
John D. Crim	297
Total Write-In Votes	7
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in the Town of DAYTON in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

**Member Town Council - Special
District: DAYTON**

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Tara L. Worthy	589
Total Write-In Votes	6
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in the Town of ELKTON in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

**Member Town Council - Elkton
District: ELKTON**

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Joshua J. Gooden	991
Margaretta Dean Isom	672
Steve T. America	636
Total Write-In Votes	75
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in the Town of GROTTTOES in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

**Member Town Council - Grottoes
District: GROTTTOES**

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Mark F. Keeler	790
Tim Y. Leeth	727

Joshua K. Bailey	577
John J. Funk	546
Total Write-In Votes	29
Total Number of Overvotes for Office	0

ABSTRACT of VOTES

Cast in the Town of MT CRAWFORD in ROCKINGHAM COUNTY, VIRGINIA at the 2016 November General Election held on November 08, 2016 for,

**Member Town Council – Mt Crawford
District: MT CRAWFORD**

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Shane D. Stevens	172
J. C. Smythers Sr.	150
James N. Dillard Jr.	7
Total Write-In Votes	22
Total Number of Overvotes for Office	0

WRITE-INS CERTIFICATION

ROCKINGHAM
 COUNTY CITY TOWN
 Member Town Council – Mt Crawford
 OFFICE TITLE
 DISTRICT NAME OR NUMBER, IF APPLICABLE

General **Special Election**

November 8, 2016
 ELECTION DATE

WRITE-INS - SUMMARY

1. Invalid Write-Ins	0
	ENTER TOTAL INVALID
2. Valid Write-Ins	28
	ENTER TOTAL VALID
3. Total Write-Ins	28
	ADD LINES 1 AND 2

VALID WRITE-INS – DETAIL

	TOTAL VOTES RECEIVED (IN FIGURES)
Campbell, Alexa	1
Carter, Jeff	1
Clark, Joshua S.	1
Cosner, Aaron	2

Moonsh-Adow, Yolo	<u>1</u>
Moore, Chad	<u>1</u>
Parker, Richard	<u>1</u>
Pultz, Roger.	<u>1</u>
Ray, Toni	<u>3</u>
Stafford, George	<u>1</u>
Stephens, Leland	<u>4</u>
Taylor, Bobby	<u>1</u>
Trobaugh, Donna	<u>1</u>
Warlen, Sam	<u>1</u>
Webb, Suzanne	<u>1</u>
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ABSTRACT of VOTES

Cast in the Town of TIMBERVILLE in ROCKINGHAM COUNTY, VIRGINIA
at the 2016 November General Election held on November 08, 2016 for,

**Member Town Council – Timberville
District: TIMBERVILLE**

<i>NAMES OF CANDIDATES ON THE BALLOT</i>	<i>TOTAL VOTES RECEIVED (IN FIGURES)</i>
Robert E. Blosser Jr.	676
Juanita F. Price	595
Carl H. Turner	594
Total Write-In Votes	43
Total Number of Overvotes for Office	0

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TRANSPORTATION DEPARTMENT.

Mr. Komara provided a report on the recent activities of the Transportation Department, which included updates on the Lee Highway/South Valley Pike (Route 11) bridge replacement; the Airport Road (Route 727) bridge project; and the Ottobine Road (Route 257) bridge replacement. He noted that an urban project for a sidewalk in Grottoes has gone out for bid.

Mr. Komara reported that Alumni Drive has been staked, and VDOT will talk with James Madison University representatives to determine if they are interested in a future project. VDOT representatives talked with nearby landowners, who seem receptive. If improvements are made to Alumni Drive, they will be done as a revenue sharing project.

He indicated the speed limit was reduced to 45 miles per hour on Port Republic Road (Route 253) through the Village of Port Republic and west of Alumni Drive. They plan to

reduce the speed limit to 35 miles per hour at the hill to reduce the speed and control traffic through Port Republic. He tried to transition the speed from 55 to 35 to help motorists coming down the grade. Speed limit signs will be posted soon, he said.

Mr. Komara informed the Board that a preliminary report indicates tier one projects will be funded, but he is uncertain how much funding will remain for the tier two drainage project in Dayton.

He noted that anti-icing was applied to the interstate and main roads (Routes 11, 33, 42) and some of Port Republic Road (Route 253) earlier in the day in preparation for a forecasted storm. He indicated VDOT has prepared for four events this season.

In response to a question from Supervisor Eberly, Mr. Komara noted the anti-icing agent is applied within 72 hours of an anticipated event. The treatment works well for dustings of snow because as the snow falls, it will melt rather than stick to the road.

Recent maintenance includes brush cutting and preparing for winter by filling salt barns and finalizing snow removal contracts.

Supervisor Breeden stated VDOT performed a nice job on the guardrail on the Island Ford Road (Route 649) bridge. He informed Mr. Komara of a fatal accident near Frazier Quarry on East Point Road (Route 602). He previously suggested adding a double-line no passing zone or reducing the speed limit on East Point Road near Frazier Quarry and Homer's Automotive.

Supervisor Chandler indicated the speed limit signs on Port Republic Road (Route 253) heading east from Port Republic go immediately to 55 miles per hour and he would like the speed limit to change to 45, then increase to 55. Mr. Komara responded that the speed limit will transition to 55 miles per hour on the west side of Alumni Drive.

Supervisor Chandler said JMU does not seem to be in a rush to improve Alumni Drive so nearby neighbors thought VDOT was moving quickly. Mr. Komara stated revenue sharing funds will not be requested until the end of 2017 and will not be available until July of 2018. He confirmed for Supervisor Chandler that JMU will provide the matching funds for the revenue sharing project, not the County.

Ms. Cooper reviewed the 2016 Rockingham County Smartscale Application, which includes the Cecil Wampler Road and Oakwood Drive (Route 704) realignment, Friedens Church Road (Route 682) realignment at Friedens Church, Mayland Road (Route 259) widening, and the road and storm sewer improvements to Main and Mill Streets in Dayton. She reported that staff from the City, County and VDOT met with Commonwealth Transportation Board representative Dixon Whitworth on November 17, 2016.

In response to a question from Supervisor Cuevas, Ms. Cooper stated the application includes .68 mile of Mayland Road (Route 259). The widening project submitted for Mayland Road last year amounted to 1.3 miles. The project will extend from East Lee Street (Route 259) to the end of Winsinger Drive (Route 1419) for now, rather than continue to Mayland.

Supervisor Cuevas indicated residents along Mayland Road wonder whether the road widening will occur at the front or back of their property. They understand this is a long-term project and things can change but they would like to know where to expand their farms and erect buildings to be clear from the road project. Mr. Komara noted the determination for a best route is yet to be made. If the projects are funded, work will begin in 2021.

A citizen who lives on Whitesel Church Road (Route 681) planned to attend the meeting to request road improvements but was not present. Mr. Komara indicated Whitesel Church Road is in the Six-Year Improvement Plan (SYIP), and work on the section of

Whitesel Church Road from Scholars Road (Route 988) to Pleasant Valley Road (Route 679) is planned to begin in four years. VDOT will continue to address the concerns of citizens on Whitesel Church Road, he said.

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ORDINANCE AMENDMENT.

Mr. Miller requested that, as a housekeeping matter, Section 7-66 of the County Code be repealed and re-enacted to change the classification of privately-owned trailers. The change will give the County authority to declare a classification with a separate tax rate for trailers, rather than taxing them at the same rate as other farm equipment.

If approved, the ordinance will be retroactive to January 1, 2016, as trailers have been taxed at \$2.90 instead of 44 cents per hundred dollars. The County will return approximately \$2,300 to citizens for taxes paid on trailers reported as primarily used in farming.

Discussion ensued regarding whether the Commissioner of the Revenue’s office will be able to determine if a trailer is primarily used for farm purposes. Commissioner of the Revenue Barb will ask citizens to indicate the use of the trailer if a question arises and he can request a federal tax form to determine how the vehicle is classified by the federal government. Commissioner Barb stated he receives a record of tickets issued by the State Police on farm vehicles and verifies the registered owners of the trailers have a farming operation. If not, he will issue a revised tax bill for the trailers and can bill the proper tax rate for the past three years.

On motion by Supervisor Cuevas, seconded by Supervisor Chandler, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board adopted the following ordinance amendment:

**ORDINANCE REPEALING
AND RE-ENACTING
SECTION 7-66
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA**

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

That Section 7 - 66 “Other classifications of tangible personal property for taxation” be and hereby is repealed and re-enacted as follows:

Section 7 – 66. Other classifications of tangible personal property for taxation

(a) The items of property set forth below are each declared to be a separate class of property and shall constitute a classification for local taxation separate from other classifications of tangible personal property.

(1) Privately owned trailers as defined in §46.2-100, Code of Virginia, 1950, as amended, that are primarily used by farmers in their farming operations for the transportation of farm animals or other farm products as enumerated in subdivisions A1 through A7 in section §58.1-3505, Code of Virginia, as amended.

(b) The board of supervisors may levy a tax on the property enumerated in subsection (a) at different rates for the tax levied on other tangible personal property, provided however that the rate of taxation and assessment established for shall not exceed that applicable to the general class of tangible personal property.

BE IT FURTHER ORDAINED that the rate for the privately owned trailers owned and used by farmers as provided for in Section 7 – 66 shall be taxed at the same rate as farm equipment.

This ordinance shall be effective from the 1st day of January, 2016.

Chairman Kyger said the ordinance amendment should be shared with the local Farm Bureau Association and young farmers groups to remind them of their legal and moral responsibility.

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COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Administrator King's staff report dated December 9, 2016.

Administrator King indicated the County will move forward with staff's recommendation to accept the donation of the Poly Scott property along Kratzer Road, if the Board so desires.

Supervisor Eberly made a motion to authorize staff to accept the donation of the Poly Scott property contingent upon the recommended conditions in Administrator King's staff report. Supervisor Cuevas seconded the motion with the understanding the acceptance is tentative until staff explores the property further and discusses the conditions with the landowner. At that point, a final recommendation can be made to the Board.

Carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board authorized staff to further explore uses and conditions with the current landowner of the Poly Scott property so a final recommendation can be provided to the Board.

Regarding the Bergton Stream Restoration project, Administrator King said staff suggests no action be taken because there are too many unanswered questions. While staff supports this type of project, there is not ample time to answer the outstanding questions before the end of the calendar year. He noted that Community Development staff and Attorney Miller have spent a lot of time and energy trying to obtain answers to staff's questions.

By consensus of the Board, the County will not pursue the Bergton Stream Restoration project.

Administrator King reported that the developer of the potential housing project along Taylor Springs Lane wishes to secure tax credits for the project, similar to those provided for the Robinson Park project. A letter of support for the project was requested, but Ms. Cooper learned a letter of support is not required for the developer to obtain the tax credits. Administrator King recommended delaying a letter of support until it is determined how important the credits and letter are in the approval process.

Ms. Cooper indicated the letter of support is currently point-neutral.

Administrator King said the property is zoned R-3 so the proposed use is permitted. He noted other potential buyers are looking at the property. Since the Taylor Springs Lane housing project is in District 3, Supervisor Chandler agreed not to pursue the credits at this time.

Administrator King reported that Public Works and Facilities staff, and Chief Holloway have discussed a snow removal plan for the Administration building, pump stations and access for fire trucks.

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COUNTY ATTORNEY'S STAFF REPORT.

Mr. Miller reviewed staff's recommended modifications to the Bylaws of the Rockingham County Recreation Commission and highlighted three substantial changes:

- Reduce the membership from 10 to five (one member per election district). The new numbers will be obtained by attrition as current terms expire.
- Remove the description of the Director of Parks and Recreation's duties.
- Set an organizational meeting in combination with the regular meeting held each January.

At Administrator King's suggestion, Mrs. McQuain will present the proposed Bylaw revisions to the Recreation Commission in January and provide an opportunity for them to consider the changes. If the Commission agrees, the revised Bylaws will be brought back to the Board for consideration.

In response to a question from Mr. Miller, Mrs. McQuain indicated seven or eight Commissioners usually attend the Recreation Commission meetings, but there are not enough members present to have a quorum once or twice a year.

Supervisor Cuevas confirmed that the Director of Recreation will oversee the policies and responsibilities of the Commissioners to ensure they comply with the philosophy and intent of the Board of Supervisors. Mrs. McQuain indicated the Recreation Commission is an advisory board and significant issues or changes are brought before the Board of Supervisors.

Mr. Miller noted if the Recreation Commission is in agreement with the proposed Bylaws, they should be brought before the Board for consideration on January 25, 2017.

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ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.

Mr. Anas announced that the Economic Development Authority met earlier in the day. He thanked the Board for attending the work session prior to the Board meeting, where he and Economic Development & Tourism Manager Michele S. Bridges provided an Economic Development Year-End Presentation.

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FINANCE DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Davidson's staff report dated December 14, 2016.

Mrs. Davidson requested authorization for the County Administrator to enter into a contract with EMS-MC to renew the agreement for billing of emergency transport services. She noted EMS-MC is the current provider and is doing well with the revenue collections.

On motion by Supervisor Breeden, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board authorized the County Administrator to sign a renewal contract with EMS-MC for billing of emergency transport services.

On motion by Supervisor Cuevas, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board declared the following items surplus to be transferred as indicated below:

Items to Declare Surplus – December 2016

Description	Quantity	Transfer To
2008 Dodge Charger	1	Massanutten Technical Center
2008 Ford Crown Victoria	1	Broadway Volunteer Fire Department

Supervisor Cuevas recognized Alvin Estep, Director of Transportation for Rockingham County Schools.

On October 26, 2016, the Board directed Administrator King to work with the Finance Committee to form a liaison committee to explore potential solutions and provide a recommendation for the replacement of the inadequate and failing communications system in the school buses. The Finance Committee met with Schools staff, Administrator King, Finance Director Davidson and Chief Holloway to determine the best solution.

The School Operating fund returned \$3,078,564 to the General fund at the end of FY 2015-2016. Since then, \$900,000 has been appropriated for heating, ventilating and air conditioning (HVAC) repairs, \$135,000 for architecture and design for phase 2 of the building renovation plan and \$478,000 is being reserved for the state portion of the two percent salary increase provided to school employees. The remaining balance is \$1,565,564. The Finance Committee would like the Board to consider using \$1,202,124 of the remaining balance to purchase a radio system for the Schools transportation department.

On behalf of the Finance Committee, Supervisor Cuevas made a motion, seconded by Supervisor Breedon to approve the following supplemental appropriation:

FY2016-2017 Supplemental Appropriation

A supplemental appropriation in the amount of \$1,202,124 to allow the schools to purchase radios for the transportation department in an amount of \$851,844 and for each of the school buildings in an amount of \$350,280. This funding will allow the school system to join the countywide radio system and provide coverage to all areas of the County.

The funding will be provided by a transfer from the General Fund.

Supplemental Appropriation: \$1,202,124

\$ 851,844	GL Code: 2103-63200-00000-924-606065-000	School Capital Transportation Radio Equipment
\$ 350,280	GL Code: 2103-63200-00000-924-608201-000	School Capital Building Radio Equipment
\$ 1,202,124	GL Code: 2103-00000-25101-000-400090-000	Transfer from General Fund
\$ 1,202,124	GL Code: 1001-09301-00000-000-509513-000	Transfer to School Capital Projects
\$ 1,202,124	GL Code: 1001-00000-15201-000-352000-000	General Fund Reserve

Supervisor Cuevas hopes school personnel and maintenance staff, with assistance from Chief Holloway and Emergency Communications Director Junkins, can provide proper training to operate the equipment and maximize its capabilities for the uses and needs of various users.

Supervisor Cuevas thanked Mr. Estep and indicated he appreciates the professional and practical way Schools stated their needs rather than spending the money that was available.

In response to a question from Supervisor Eberly, Mr. Estep noted the tower that Schools currently utilizes is located in Park View, and will be dismantled by the City in 2017. The new Schools radio system will use the same tower used by Fire and Rescue.

Supervisor Cuevas indicated the radio system on the school buses will have the same capacity as Fire and Rescue and the Sheriff’s office has throughout the County. Chairman Kyger is glad the new radio system will put school personnel directly in contact with people that can help them, instead of them having to relay their communication through a third party.

Mr. Junkins and Chief Holloway worked with Schools to obtain a 49 percent savings for the radios to be delivered by the next school year, Supervisor Cuevas said.

Carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board approved the school transportation radio replacement supplemental appropriation.

FINANCE COMMITTEE REPORT.

On behalf of the Finance Committee, on motion by Supervisor Cuevas, seconded by Supervisor Breedon, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board approved the following supplemental appropriations:

FY2016-2017 Supplemental Appropriations

Harrisonburg-Rockingham Social Services District

1. Fostering Futures Foster Care Program

A supplemental appropriation in the amount of \$59,850 for the Fostering Futures Foster Care. The program allows states to extend foster care services and support to youth who turn 18 while in foster care, until they reach the age of 21. Traditionally, foster care ends when a child reaches the age of 18. Federal and State funding will be provided, with no local funding required.

Supplemental Appropriation: \$59,850

\$ 44,100	GL Code: 1220-05302-10200-000-505734-000	Fostering Futures Foster Care Assistance
\$ 15,750	GL Code: 1220-05302-10100-000-505734-000	Fostering Futures Foster Care Assistance
\$ 29,925	GL Code: 1220-00000-12401-000-324983-000	Public Assistance- State
\$ 29,925	GL Code: 1220-00000-13303-000-338983-000	Public Assistance- Federal

2. TANF Competitive Grant

A supplemental appropriation in the amount of \$10,240 for the Temporary Assistance for Needed Families (TANF) Competitive Grant. The TANF Competitive Grant provides proven services approaches and strategies that help current and former TANF clients prepare to enter, succeed and advance in the workplace. Funding will be provided 100% by Federal funds with no local funding required.

Supplemental Appropriation: \$10,240

\$ 10,240	GL Code: 1220-05302-10200-000-505744-000	TANF Competitive Grant
\$ 10,240	GL Code: 1220-00000-13303-000-338983-000	Public Assistance- Federal

COUNTY CAPITAL PROJECTS FUND

Emergency Communications Center – CAD/DMS Upgrade

The Emergency Communications Center is in the process of upgrading its CAD/DMS system. The contract with a consultant totals \$250,366, of which the County is required to pay half (the City will pay the other half).

Supplemental Appropriation: \$125,183

\$125,183 GL Code: 1101-09401-00000-000-508340-000 ECC Project
\$125,183 GL Code: 1101-00000-15201-000-352000-000 Capital Project Fund
Reserves

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SATURDAY WITH SANTA.

Supervisor Breeden asked Donald Driver, Director of Social Services, if his staff was prepared for the Saturday with Santa event. Mr. Driver informed the Board members that the Social Services Saturday with Santa event will be held December 17, 2016 at 9:00 a.m. at the Cecil F. Gilkerson Community Activities Center, with 60 to 70 volunteers distributing gifts and stockings to approximately 1,760 children.

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SCHOOL RADIO SYSTEM.

Chairman Kyger asked Mr. Estep if he wanted to add anything about the radio system discussion. Mr. Estep indicated information has to be relayed three times (through two additional people) to communicate from Bergton with the current radio system. This has created concerns about the safety of students and staff so he is extremely happy the new radios were approved.

Supervisor Breeden and Chairman Kyger expressed appreciation to Supervisor Cuevas for advocating so hard for the radio system.

HUMAN RESOURCES DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Mongold’s staff report dated December 14, 2016.

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Hertzler’s staff report dated December 14, 2016.

Mr. Hertzler reported that the Virginia Department of Environmental Quality (VDEQ) public hearing for the Landfill Part B permit was held on December 7, 2016. Since no one appeared to voice public concern regarding the design of the proposed cell, 5A expansion, the permit should be issued in 30 days. He noted staff has been working two and a half years on this project.

Chairman Kyger reported that he raised an issue with Administrator King and Mr. Hertzler earlier about a request at Waggys Creek. There was a question regarding how to dispose of the plastic used on large bales of silage. Mr. Hertzler noted that, if the plastic is put in small bundles the size of household trash, they can be disposed of in the container site

compactors. Two pickup trucks filled with the plastic material were asked to go to the landfill. Chairman Kyger indicated this is a communication and education issue that needs to be taken to the Farm Bureau and young farmer groups to make them aware of the disposal procedures. The landfill does not charge for agricultural waste, he added.

Supervisor Cuevas thanked Mr. Hertzler and Phillip Rhodes for looking into issues for certain items at isolated sites. He indicated procedures need to be reviewed periodically due to the impact of discontinuing services, especially at the Ottobine and Bergton container sites.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's staff report dated December 14, 2016.

Senior Planner May provided a presentation on the enrollment projections for Rockingham County Schools based on enrollment trends for the last 10 years, and population demographics by housing types. The school enrollment estimate for 2025 is between 11,800 and 11,950 students. He said the estimates could change if a major employer moves to or leaves the area. One primary influence on the enrollment growth patterns has been the change in demographics as seen in several reports over the last couple of years, including the recent housing market analysis and 2015 comprehensive plan review and update. These reports indicated the growth in the housing market was led by the retirement age population.

Mr. May noted the school enrollment age population is not growing as fast as the older adult population. The average household size is declining so there are fewer students per household. He provided detailed projections for each school district and school.

Mr. May noted that the total enrollment should remain relatively constant, with more growth in the urban development areas (Spotswood and East Rock districts). However, estimates indicate Pleasant Valley Elementary School will not achieve capacity for a very long time.

Supervisor Cuevas confirmed that the estimates are based on the current view. He said annexations by towns and how the seven independent towns develop properties can change the picture.

Supervisor Cuevas said if the General Assembly would allow counties to have the same sources of revenue as towns and cities, counties would have the ability to make changes easier. Towns currently increase in size and require additional public services, such as fire and rescue and public education, that are funded by the County.

Chairman Kyger noted that, if the projections are accurate, there is room to redistrict the schools and shift students from the western portions of the County northeast along the Route 340 corridor.

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TECHNOLOGY DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Perry's staff report dated December 2016.

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FIRE AND RESCUE CHIEF'S STAFF REPORT.

The Board received and reviewed Chief Holloway's staff report dated December 2016.

Chief Holloway said Fire and Rescue has been busy working with Schools to identify their radio system needs. Since Administrator King asked Fire and Rescue to look at wild

urban interface areas, staff will meet with the Virginia Department of Forestry in early 2017 to ensure there is a good plan for the Massanutten, Sun Valley and Sundance urban interface areas.

Chairman Kyger noted the County has previously shared concerns with the General Assembly regarding building codes and fire ordinances. The Gatlinburg, Tennessee forest fire and Oakland, California warehouse fire are examples of preventable fire disasters. He said if there had been building codes and proper building inspections at the Oakland building, the loss of lives could have been significantly reduced or prevented. When such events occur, first responders are also put at great risk. Although the public does not like rules and regulations, they are often for a very good reason, Chairman Kyger said.

Mr. Miller indicated he and Administrator King are working with the County’s lobbyist to encourage the General Assembly to revisit farm winery, brewery, distillery and agricultural operation statutes to clarify the need for building code, fire code, and public safety and health requirements in buildings treated as farm buildings. The building official and fire marshal cannot provide enforcement of safety concerns in farm buildings used for events attended by a large number of people.

Chairman Kyger noted the County’s primary purpose is to ensure public health and safety. The County has a moral and financial obligation to protect first responders, and he does not want to be responsible if a disaster occurs.

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PARKS & RECREATION DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. McQuain’s staff report dated December 2016.

Mrs. McQuain reminded the Board that the Rockingham Recreation Foundation, Inc. would like to use a more inclusive community name for the park on Spotswood Trail (Route 33). As she indicated previously, the clover baseball/softball fields will be named after the late Albert Long to honor his contributions to the County.

On motion by Supervisor Chandler, seconded by Supervisor Cuevas, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board approved renaming the park on Spotswood Trail (Route 33) Rockingham Park at the Crossroads, with the intent to name the clover baseball/softball fields in honor of Albert Long.

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COURT SERVICES DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Freeman’s staff report dated December 14, 2016.

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REZONING.

Supervisor Chandler requested that the MLK Preston Lake, LLC rezoning be addressed during the afternoon session of the meeting to accommodate a gentleman that was attending the meeting specifically for the MLK Preston Lake rezoning request. A public hearing was not required because the amendment will not impact use or density.

- REZ16-331 MLK Preston Lake, 10100 Business Parkway, Lanham, MD 20706 to revise the master plan for Preston Lake, located west of Massanetta Springs Road (Route 687) approximately 0.4 mile south of Spotswood Trail (US 33), converting one large multi-family building, 15 quad-plex buildings, and 6 duplex units into 12 smaller multi-family buildings and

6 townhouse units. Additional flexibility has been added to allow for either single family detached or duplex units in currently undeveloped areas.

On December 6, 2016, by a vote of 4-0, the Planning Commission recommended approval, concurring with staff's recommendation for approval, which stated:

This amended Master Plan retains the original intent of the approved Preston Lake Master Plan for the development of a planned residential community with a variety of housing types. This remains in conformance to the Comprehensive Plan.

Donald Lemish said the previous rezoning involving MLK Preston Lake had a proffer for a wall separating the apartment complex from Preston Lake, with no access between the two. He asked when the wall is to be constructed. Mr. Armstrong said the wall will most likely be erected before the multi-family dwelling section of the development is completed. The wall will be bonded so there is a guarantee that the wall will be built.

Mr. May indicated the proposed amendment to the master plan is to replace the large multi-family building with 12 smaller multi-family buildings and a community building. He said the wall will remain; one entrance will be moved, with VDOT approving the location of the entrance. Mr. May stated there will be no connection between the two developments.

There will also be a change in the table of contents that adds the multi-family structure, denoting where the wall or fence will be built. The overall unit count shall not exceed 819, as approved in the Master Plan. He said the parking lot is subject to modification. The location of the parking lot is not finalized but will be close to what is shown in the master plan.

Supervisor Cuevas asked if there was a timetable for the development to construct amenities such as a pool and picnic area. Supervisor Chandler said the clubhouse is currently being constructed, and Ms. Cooper indicated there is a pool in the multi-family section. Mr. May stated the section of the development under construction is not part of the rezoning request.

Supervisor Chandler noted there had been a great deal of discussion with a number of neighbors. He reviewed the neighbors' concerns with staff, and has been in contact with the engineering developers. Since Supervisor Chandler is satisfied with MLK Preston Lake's proposal, he recommended approval.

On motion by Supervisor Chandler, seconded by Supervisor Cuevas, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board approved REZ16-331, MLK Preston Lake, 10100 Business Parkway, Lanham, MD 20706 to revise the master plan for Preston Lake, located west of Massanetta Springs Road (Route 687) approximately 0.4 mile south of Spotswood Trail (US 33), converting one large multi-family building, 15 quad-plex buildings, and 6 duplex units into 12 smaller multi-family buildings and 6 townhouse units. Additional flexibility has been added to allow for either single family detached or duplex units in currently undeveloped areas.

(Note: A copy of the Preston Lake Master Plan dated December 5, 2016 is attached to and made a part of these minutes.)

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RECESS.

At 5:13 p.m., Chairman Kyger recessed the meeting for dinner.

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OPEN MEETING.

Chairman Kyger opened the evening portion of the Board meeting at 6:00 p.m.

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ADDITIONAL COMMITTEE REPORTS.

Chairman Kyger asked Board members and staff to provide committee reports not presented during the afternoon portion of the meeting. There were no additional committee reports.

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PUBLIC HEARING - SPECIAL-USE PERMITS AND REZONING.

At 6:01 p.m., Chairman Kyger opened the public hearing regarding two special-use permits and a rezoning request.

Ms. Stultz reviewed the special-use permit requests.

SUP16-308 Andrey and Nina Parchuk, 5003 Pleasant Valley Road, Rockingham 22801 for waivers to supplemental standards for accessory dwellings to increase distance between dwellings from 60' to 150', waiver to size of residence to allow for 1800 sq. ft. residence, and waiver to allow existing residence to become the accessory dwelling on property located on the northeast side of Pleasant Valley Road (Route 679) approximately 1300 feet north of Cross Keys Road (Route 276), Election District #3, zoned A-2. Tax Map #139-(A)-123

The applicants were present.

An email was received regarding concerns from a citizen who was unable to attend. Ms. Stultz indicated she responded to the email and answered the citizen's questions.

No one spoke in opposition to the request.

SUP16-315 James Waddell, 2251 Airport Road, Bridgewater 22812 requesting a waiver for a 684 sq. ft. accessory dwelling (second story of a detached garage) to increase distance between the structures from 25' to 49'4" on property located on the south side of Airport Road (Route 727) approximately 1 mile east of Warm Springs Pike (Route 42), Election District #4, zoned A-2. Tax Map #136-(A)-58B

Mr. Waddell was unable to attend, but his contractor, Sam Hammock, said Mr. Waddell intends to use the dwelling for guest quarters.

No one spoke in opposition to the request.

Mr. May reviewed the rezoning request.

REZ16-287 The Broadway Group, 216 Westside Sq., Huntsville, AL, 35801, seeks to rezone TM# 142A1-(A)- L28, 29, 30 totaling 1.77 acres from Medium Density Residential (R-2) to General Business (B-1). Property is located east of Judy Lane (Route 647) and south of Spotswood Trail (Route 33). The Comprehensive Plan identifies the area as Village Core, Election District 5

Mr. May indicated the house on the property is not part of the rezoning, only the wooded area.

On November 1, 2016, by a vote of 5-0, the Planning Commission recommended approval, concurring with staff's recommendation for approval, which stated:

This property lies within the Village Core of the McGaheysville Area Plan, which calls for limited commercial development.

The applicant is a site selection company from Huntsville, Alabama. No specific use has been proffered, but preliminary site plans indicate it is a retail structure.

Supervisor Breeden asked if the proposed building meets the intent of the McGaheysville study. Ms. Cooper indicated it is not a true village core component but is more suburbia, and the Broadway Group is not addressing a gateway (major intersection) into the village core. The proposed building has a "cookie cutter" footprint, she said.

Gary Burner indicated he owns the property and wants to support the project, which will be a nice addition to McGaheysville and the County. He noted it will be a popular retail store that the community will enjoy. Gary and Dwight Burner own the strip of land on the west side of the division and McDaniel Brothers owns the portion behind the house. The Broadway Group will use the entire property for their facility and parking. Mr. Burner said this is a good use for the scrubland property.

In response to a question from Supervisor Breeden, Mr. Burner indicated the McDaniels own the house on the property, which is not part of the rezoning.

Joseph Hensley, who lives on McGahey Lane, is not opposed to the request but expressed a concern that turning left onto Spotswood Trail (Route 33) from McGahey Lane (Route 647) is difficult. He said some people traveling to Spotswood Trail use McGahey Lane to avoid the traffic light on Island Ford Road (Route 649), or turn right onto Spotswood Trail and then make a U-turn to go west. Mr. Hensley indicated motorists have to wait a while to turn left from McGahey Lane onto Spotswood Trail and with a car lot opening at the intersection it might become more difficult to turn left onto Spotswood Trail. Mr. Hensley said he farms and needs to turn left with a 75-foot truck and hay wagon.

In response to a question from Supervisor Chandler, Mr. Hensley said Snyder's Auto Sales is opening a car lot at the Spotswood Trail/McGahey Lane intersection and Stony Run Subdivision is constructing more houses, so there will be increased traffic.

At 6:15 p.m., Chairman Kyger closed the public hearing.

In reference to the special use permit request from Andrey and Nina Parchuk, Supervisor Chandler confirmed the Parchuk's children will reside in the existing house which will be remodeled and the applicants plan to build a new home for themselves. Supervisor Chandler noted the Parchuks had not yet applied for permits to remodel the current home on the property.

Ms. Stultz spoke with Mr. Parchuk, who informed her that he has repaired the deck and ordered kitchen cabinets. Mr. Parchuk indicated he would come to Community Development by December 19, 2016, to obtain a remodeling permit.

Since Mr. Parchuk planned to obtain a remodeling permit soon, Mr. Chandler was in agreement with approving the request.

On motion by Supervisor Chandler, seconded by Supervisor Eberly, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board, with the following conditions, approved

SUP16-308, Andrey and Nina Parchuk, 5003 Pleasant Valley Road, Rockingham 22801 for waivers to supplemental standards for accessory dwellings to increase distance between dwellings from 60' to 150', waiver to size of residence to allow for 1800 sq. ft. residence, and waiver to allow existing residence to become the accessory dwelling on property located on the northeast side of Pleasant Valley Road (Route 679) approximately 1300 feet north of Cross Keys Road (Route 276), Election District #3, zoned A-2. Tax Map #139-(A)-123

CONDITIONS:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Building shall comply with the Statewide Building Code and the proper permits shall be obtained.
3. As required by VDOT, the existing entrance shall be removed, and a new entrance shall be constructed to serve both residences. The exact location of the new entrance shall be determined by VDOT at the time the entrance permit is issued.
4. A permit for the new entrance shall be obtained from VDOT and submitted to the Community Development Department prior to issuance of building permits. Entrance shall be installed and approved by VDOT prior to issuance of a certificate of occupancy.
5. As required by the Health Department, both dwellings shall have an approved sewage disposal system and water supply to serve them.
6. A copy of the Health Department permits shall be submitted to the Community Development Department prior to issuance of building permits. Well and septic shall be installed and approved by the Health Department prior to issuance of a certificate of occupancy.
7. Residence shall not be occupied until such time as a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.
8. Applicant shall obtain permits for remodeling of the existing residence prior to or concurrent with issuance of permits for the new dwelling.

On behalf of Chairman Kyger, on motion by Supervisor Breeden, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board, with the following conditions, approved SUP16-315, James Waddell, 2251 Airport Road, Bridgewater 22812 requesting a waiver for a 684 sq. ft. accessory dwelling (second story of a detached garage) to increase distance between the structures from 25' to 49'4" on property located on the south side of Airport Road (Route 727) approximately 1 mile east of Warm Springs Pike (Route 42), Election District #4, zoned A-2. Tax Map #136-(A)-58B

CONDITIONS:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Building shall comply with the Statewide Building Code and the proper permits shall be obtained.
3. As required by the Health Department, both dwellings shall have an approved sewage disposal system and water supply to serve them.

4. A copy of the Health Department permits shall be submitted to the Community Development Department prior to issuance of building permits. Septic and well shall be installed prior to issuance of a certificate of occupancy.
5. Residence shall not be occupied until such time as a certificate of occupancy is issued by the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

Regarding the Broadway Group rezoning, Supervisor Breeden stated the request is a land use issue. He asked Mr. Burner if he had a feel for the appearance of the building. Mr. Burner noted the company is a national group so the building will be consistent with those constructed other places.

Supervisor Breeden noted it is not a requirement but since other buildings in the area are brick, he wondered about the proposed building. Mr. Burner said he requested a quality appearing building that is as upscale as possible, and he has no problem with the Board specifying an upscale look for the building.

Supervisor Breeden said the Board cannot specify the appearance of the building because this is a rezoning request.

Mr. Miller said the Broadway Group can proffer a more restrictive appearance, but the proffer would have to come from the applicant.

Ms. Cooper indicated this would be acceptable but the original applicant (the Broadway Group) would need to provide the proffers and Messrs. Burner and McDaniel will also need to sign the proffers.

Ms. Cooper suggested that, if the Board wants the rezoning to fit into the McGaheysville Plan in a more predictable manner, the Board table the request to allow the Broadway Group an opportunity to respond to the Board's concerns and place more restrictive proffers on the rezoning request.

Supervisor Breeden said he would like the appearance to be consistent with Peak View Plaza. Since the back of the building may face Peak View Plaza and the bank in the shopping center, Ms. Cooper indicated it is imperative that the aesthetics apply to all four sides of the proposed building.

Mr. Miller suggested the Broadway Group discuss language for the proffers with Ms. Cooper and Mr. May to ensure the construction and façade is consistent with the surrounding development.

Supervisor Breeden noted he would like to recommend tabling the request to allow the Broadway Group an opportunity to provide proffers, if the rezoning request is not time sensitive. He said the Board can consider the rezoning request at the January 11, 2017 meeting.

Mr. Miller noted this is a land use request and the use should be consistent with surrounding uses, including fitting in with the appearance and construction materials.

Mr. Burner indicated a representative from the Broadway Group planned to attend the meeting, but had not yet arrived. Mr. Burner had no problem with the Board tabling the request so the Broadway Group can provide more restrictive proffers.

On motion by Supervisor Breeden, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board tabled REZ16-287, The Broadway Group, 216 Westside Sq., Huntsville, AL, 35801, seeks to rezone TM# 142A1-(A)- L28, 29, 30 totaling 1.77 acres from Medium Density Residential (R-2) to General Business (B-1).

Property is located east of Judy Lane (Route 647) and south of Spotswood Trail (Route 33). The Comprehensive Plan identifies the area as Village Core, Election District 5. It was set for removal from the table with a time certain date of January 11, 2017.

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COMMITTEE APPOINTMENTS.

On behalf of Chairman Kyger, on motion by Supervisor Chandler, seconded by Supervisor Breedon, and carried by a vote of 5 to 0, voting recorded as follows: BREEDON - AYE; CHANDLER - AYE; CUEVAS - AYE; EBERLY - AYE; KYGER - AYE; the Board appointed Seth Berkey, Sally Newkirk and Greg “Yogi” Gillette to the Bicycle Advisory Committee for terms to expire December 31, 2019.

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OTHER BUSINESS.

Chairman Kyger said it had been a pleasure serving as chairman in 2016, but he looks forward to turning the gavel over to the next chairman. He wished staff and their families a safe and merry Christmas holiday.

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ADJOURNMENT.

Chairman Kyger declared the meeting adjourned at 6:24 p.m. He stated the Board will meet on January 11, 2017.

Chairman