

November 14, 2018

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, November 14, 2018, at 3:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

- PABLO CUEVAS, Election District #1
- SALLIE WOLFE-GARRISON, Election District #2
- RICK L. CHANDLER, Election District #3
- WILLIAM B. KYGER, JR., Election District #4
- MICHAEL A. BREEDEN, Election District #5

Also present:

- STEPHEN G. KING, County Administrator
- THOMAS H. MILLER, JR., County Attorney
- CASEY B. ARMSTRONG, Assistant County Administrator
- PATRICIA D. DAVIDSON, Director of Finance
- KIRBY W. DEAN, Director of Parks & Recreation
- ANN MARIE FREEMAN, Director of Court Services
- JEREMY C. HOLLOWAY, Fire & Rescue Chief
- JENNIFER J. MONGOLD, Director of Human Resources
- TERRI M. PERRY, Director of Technology
- PHILIP S. RHODES, Director of Public Works
- RHONDA H. COOPER, Deputy Director of Community Development
- BRADFORD R. DYJAK, Director of Planning
- KELLY S. GETZ, Code Compliance Officer
- DIANA C. STULTZ, Zoning Administrator
- JESSICA G. KILBY, Deputy Clerk
- DONALD F. KOMARA, Residency Administrator
- Virginia Department of Transportation

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CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE.

Chairman Cuevas called the meeting to order at 3:04 p.m. and welcomed recently-elected District 2 Board member Sallie Wolfe-Garrison.

Supervisor Chandler provided the Invocation and Administrator King led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

On motion by Supervisor Chandler, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board approved the minutes of the regular meeting of October 24, 2018.

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TRANSPORTATION DEPARTMENT.

The Board heard Mr. Komara’s report on the activities of the Transportation Department, including updates to bridge, road and rural rustic projects.

Mr. Komara announced that the public meeting for the South Valley Pike (Route 11) and Cecil Wampler Road (Route 704) highway and intersection improvements is scheduled for Thursday, December 6, 2018, from 4-7 p.m. at the Bridgewater Town Hall.

Maintenance items included mowing, drainage work, and preparing equipment for inclement weather.

Supervisor Kyger mentioned that the Weyers Cave interchange at I-81 is becoming highly problematic. He said that traffic is backing up, especially during commuting hours. Mr. Komara stated that an upcoming project in the next one to two years will address some of the congestion issues.

Supervisor Chandler asked Mr. Komara to keep the bridges in Port Republic on the radar for replacement in the next several years.

In response to a question from Supervisor Breeden, Mr. Komara indicated the next step regarding improvements to Hensley Hollow Road (Route 622) would be obtaining an estimate and determining whether or not to pursue the project. He pointed out how costly the project will be given its location.

Supervisor Wolfe-Garrison asked for Nutmeg Court (Route 1146) in Belmont Estates to remain on the radar for a new speed study due to vehicles in that area traveling too fast.

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COMMISSIONER OF THE REVENUE – TAX REFUND.

Commissioner of the Revenue Lowell R. Barb presented a refund request from APS PCS LLC, D/B/A Sprint PCS, for Public Service Corporation Real Estate tax overpayments for tax year 2018 in the amount of \$34,769.79.

On motion by Supervisor Breeden, seconded by Supervisor Wolf-Garrison, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; KYGER - AYE; WOLFE-GARRISON – AYE; the Board directed the Treasurer to refund \$34,769.79 to APS PCS LLC, D/B/A Sprint PCS, for overpayment of real estate taxes in calendar year 2018.

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COUNTY ADMINISTRATOR’S STAFF REPORT.

The Board received and reviewed Administrator King’s staff report dated November 9, 2018.

Administrator King reviewed a request from The Reserve at Stone Port to pursue Virginia Housing Development Authority (VHDA) financing for Phase 2 of the development. In order to qualify for the VHDA financing, the Reserve would be required to commit to a minimum of 20% of the units being occupied by renters with an income of \$50,000 or less. Mr. King explained that Phase 2, which consists of 240 units, has already been completed and are currently 88% occupied. Since they are already meeting the requirement, they would like to apply for VHDA financing.

On motion by Supervisor Kyger, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; KYGER - AYE; WOLFE-GARRISON – AYE; the Board adopted the following resolution:

**RESOLUTION IN SUPPORT OF THE RESERVE AT STONE PORT, PHASE 2,
REQUEST FOR VHDA FINANCING. THE RESERVE AT STONE PORT
APARTMENTS ARE LOCATED ON STONE SPRING ROAD
NEAR ITS INTERSECTION WITH PORT REPUBLIC ROAD
IN THE CENTRAL MAGISTERIAL DISTRICT**

WHEREAS, the Board of Supervisors of the County of Rockingham, Virginia, desires to make the determination required by Section 36-55.30:2.B of the Code of Virginia of 1950, as amended, in order for the Virginia Housing Development Authority to finance the economically mixed project (the "Project") known as Phase 2, The Reserve at Stone Port as described on Exhibit A attached hereto;

NOW, THEREFORE, BE IT HEREBY DETERMINED AND RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF ROCKINGHAM, VIRGINIA as follows:

- (1) The ability to provide residential housing and supporting facilities that serve persons or families of lower or moderate income will be enhanced if a portion of the units in the Project are occupied or held available for occupancy by persons and families who are not of low and moderate income; and
- (2) Private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the surrounding area of the Project and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.
- (3) This resolution shall be in effect from and after the date of its adoption.

Exhibit A
The Project

The Reserve at Stone Port is a luxury apartment complex with clubhouse, pool and other amenities located on Stone Spring Road near its intersection with Port Republic Road in Central Magisterial District, County tax parcel 125-(A)-7C acquired by Cathcart AL 2 LLC by deed of record in Deed Book 4469, page 264 in the Office of the Clerk of the Circuit Court of Rockingham County, Virginia. The Property is zoned R-3 (General Residential) permitting multi-family dwelling units.

The Project is Phase 2 of The Reserve at Stone Port, comprised of 240 apartment units located in the buildings having addresses of 2043/2047 Channing Drive, 2063/2067 Channing Drive, 2083/2087 Channing Drive, 2033/2037 Channing Drive, 2053/2057 Channing Drive, 2073/2077 Channing Drive, 2515/2525 Dawson Drive, 2535/2545 Dawson Drive, 2565/2575 Dawson Drive, and 2560/2570 Dawson Drive, Harrisonburg, VA 22801 within the larger apartment complex. The Property also includes a pool and cabana addressed as 2530 Dawson Drive, Harrisonburg, VA 22801.

Administrator King brought attention to the Revenue Equality Coalition information included in his staff report. The coalition of counties was initiated by Pulaski County in an attempt for counties to secure authority to impose a cigarette tax by referendum. As explained, this is a small step in the direction of equal taxing authority, in this case proposed to require a referendum in an attempt to make adoption more palatable for legislators. The Coalition would like the County to participate at a cost of \$5,000.

Discussion ensued, and the Board determined that since the County currently has an arrangement with Chris Nolen of McGuire Woods to handle legislative issues, a letter supporting the Coalitions efforts would be sufficient rather than paying an additional fee to become a member of the Revenue Equality Coalition.

On motion by Supervisor Kyger, seconded by Supervisor Chandler and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; KYGER - AYE; WOLFE-GARRISON – AYE; the Board directed staff to send a letter of support to John Stirrup with Alcalde & Fay – Virginia, LLC, supporting the Revenue Equality Coalition and their efforts to secure equal taxing authority for counties.

Administrator King reported that design-build proposals for the reconfiguration of the Fire and Rescue space to house Court Services and to finish the unfinished space on the second floor of the Administration building were reviewed by staff and discussed with the Finance and Public Works Committees. The recommendation is to select Harman Construction as the top offeror and permit staff to proceed by negotiating the details with Harman. Mr. King pointed out that it is important to begin the work in order to free up space in the District Courts building. He reminded the Board that the proposals are design-build, therefore pricing was not reviewed.

On motion by Supervisor Breedon, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; KYGER - AYE; WOLFE-GARRISON – AYE; the Board authorized staff to accept the design-build proposal from Harman Construction, and authorized staff to proceed with negotiations to begin the reconfiguration of the Fire and Rescue space, and to finish the unfinished space on the second floor of the Administration building.

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ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's Economic Development and Community Development staff reports dated November 14, 2018.

REMOVAL FROM THE TABLE - REZ18-057 TAN BARK LANE LLC

On motion by Supervisor Kyger, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; KYGER - AYE; WOLFE-GARRISON – AYE; the Board removed from the table REZ18-057, Tan Bark Lane LLC, 4901 Crowe Drive, Mt. Crawford VA 22841, to rezone a total of 75.11 acres located on the west side of Pear Street (Route 922) approximately 0.15 mile southwest of Erickson Avenue (Route 726), from A2 (General Agricultural) to R5 (Planned Residential). The Comprehensive Plan identifies the area as Community Residential in the Urban Growth Boundary. Tax map #108-(A)-L188, 108-(A)-L189, 108-(A)-L164A and 108-(6)-L2. Election District 2.

Supervisor Kyger referred to the most recent proffer statement submitted by Tan Bark, LLC, on October 19, 2018. He said the request and the proffers submitted follow the County's Comprehensive Plan and address previous concerns raised by the Board.

On motion by Supervisor Kyger, seconded by Supervisor Chandler, and carried by a roll call vote of 4 to 0 to 1, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; KYGER - AYE; WOLFE-GARRISON – ABSTAIN; the Board, subject to the following proffer statement approved REZ18-057, Tan Bark Lane LLC, 4901 Crowe Drive, Mt. Crawford VA 22841, to rezone a total of 75.11 acres located on the west side of Pear Street (Route 922) approximately 0.15 mile southwest of Erickson Avenue (Route 726), from A2 (General Agricultural) to R5 (Planned Residential). The Comprehensive Plan identifies the area as Community Residential in the Urban Growth Boundary. Tax map #108-(A)-L188, 108-(A)-L189, 108-(A)-L164A and 108-(6)-L2. Election District 2.

PROFFER STATEMENT

DATE: REVISION #6 OCTOBER 19, 2018

RE: Tan Bark Lane, LLC

Owner: Tan Bark Lane, LLC

Rezoning Case No: TBD

Tax Map Numbers: 108 (A) L189, 108 (6) L2, 108 (A) L164 A, 108 (A) L188

Tan Bark Lane, LLC hereby proffer(s) that the use and development of this property shall be in strict accordance with the following conditions:

1. Density of the development shall not exceed 400 units.
2. Internal roadways serving single family and/or duplex lots shall be dedicated to VDOT's secondary road system and maintained by VDOT. Roads within the townhome section of the development shall be privately maintained.
3. Points of access are depicted as approximate locations in the Master Plan, subject to County, VDOT, and City approval during the review of final construction documents.
4. The developer shall enter into a signal agreement with the City of Harrisonburg as stated in the Traffic Signal Cost Sharing Agreement, dated 3-30-18 (attached) for installation of a traffic signal at the intersection of Pear Street and Erickson Avenue.
5. Prior to the sale of any Lot, there shall be established a Property Owners' Association for the management and control of any common areas, the enforcement of architectural standards and restrictive covenants after termination of developer control of the project.
6. Construction access for the project shall be limited to the proposed Pear Street entrance. The Developer shall install signage near the intersection of Russell Drive and Pear Street indicating that Russell Drive is not open to construction traffic. Such signage is contingent on the review and approval by the City of Harrisonburg.
7. Developer shall provide a 30' landscape buffer adjacent to the existing Sky View Estates Subdivision. The proposed buffer shall include a double row of evergreen trees as depicted on the Master Plan (Sheet RZ-2, 30' Buffer Detail). A double row of evergreen shrubs shall be planted within the 50' VEPCO easement in lieu of evergreen trees (where the 50' VEPCO easement crosses the 30' buffer, see Master Plan). The buffer shall be installed prior to the issuance of the certificate of occupancy of the 15th townhome unit.
8. The applicant will place phasing restrictions on the development of the property at no more than forty (40) residential structure building permits to be issued for construction on the property during any twelve (12) month period commencing on the date the first building permit(s) for residential structures are issued for the project. Each consecutive twelve (12) month period starting with the date of the issuance of the first building permits for the project shall be called a "Phased Permitting Period." This phasing restriction will be subject to the two following exceptions:
 - a) In any two (2) of the consecutive Phased Permitting Periods during the phased build-out of the project, the applicant shall have the option to increase the number of issued permits by twenty (20) for a total of sixty (60) in two of the Phased Permitting Periods during project development.
 - b) In any of the Phased Permitting Periods where there are less than forty (40) building permits issued for residential structures on the property, applicant or its successors may carry forward a maximum of ten (10) unissued permits from the previous Phased Permitting Period to the next permitting period for a maximum of up to fifty (50) permits issued in the Phased Permitting Period for which the unissued permit allocations are carried forward.
 - c) Applicant shall not carry forward unused permit allocations in any Phased Permitting Period as provided in section "b" in which it elects to utilize its increased allocation under section "a" above.
9. The applicant will contribute the sum of \$150,000 towards the construction of a new 12" water line running from the County's Kaylor Hill water tower, along Mosby Road and to the boundary of the subject property. Said monetary contribution will be paid no later than the completion of the line to the boundary of the applicant's property, provided that the line is installed to the subject property and available to provide municipal water

supply and service no later than September 15, 2019. Applicant will provide cooperation to the County in coordinating the design and construction of the new water line.

The conditions set forth in this proffer statement supersede all conditions set forth in previous proffer statement dated July 30, 2018, and any other proffer statement submitted for this application.

Tan Bark Lane, LLC

COMMITTEE APPOINTMENT

On motion by Supervisor Breeden, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; KYGER - AYE; WOLFE-GARRISON – AYE; the Board appointed Joshua Gooden to the Blue Ridge Committee for Shenandoah National Park Relations/Related Lands for a term to expire June 30, 2022.

REMOVAL FROM THE TABLE - SUP17-190 EVERY SOUL ACRES, LLC

On motion by Supervisor Chandler, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; KYGER - AYE; WOLFE-GARRRISON – AYE; the Board removed from the table SUP17-190, Every Soul Acres, LLC (Bobby and Laura Wolfe), 2411 Flook Lane, Keezletown 22832 for an event center (ministry events) on property located on the east side of Flook Lane (Route 724) approximately 2000' east of Indian Trail Road (Route 717), Election District #3, A-2. Tax Map #96-(A)-77 & Tax Map #96-(A)-78.

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; CUEVAS - AYE; KYGER - AYE; WOLFE-GARRISON – AYE; the Board denied SUP17-190, Every Soul Acres, LLC (Bobby and Laura Wolfe), 2411 Flook Lane, Keezletown 22832 for an event center (ministry events) on property located on the east side of Flook Lane (Route 724) approximately 2000' east of Indian Trail Road (Route 717), Election District #3, A-2. Tax Map #96-(A)-77 & Tax Map #96-(A)-78.

REMOVAL FROM THE TABLE - SUP18-178 NEW ENERGY VENTURES, INC.

On behalf of Chairman Cuevas, SUP18-178 of New Energy Ventures was removed from the table. Chairman Cuevas reported that after thorough review of the special use request and after visiting an existing solar farm in Remington, Virginia, he determined the location is not appropriate for a solar farm. Mr. Cuevas stated that alternative energy sources like solar and wind energy are valuable and important to communities when in the proper location.

Supervisors Kyger and Breeden both voiced their support of solar energy; however, agreed that the location of this request is not well served for a solar farm.

On behalf of Chairman Cuevas, 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; CUEVAS - AYE; KYGER - AYE; WOLFE-GARRISON – AYE; the Board denied SUP18-178, New Energy Ventures, Inc./Endless Caverns Solar LLC, 611 NW 72nd Street, Miami, FL 33150 for a Solar PV electric farm on property located on the southwest side of Craney Island Road (Route 794) and Mountain Valley Road (Route 620), Election District #1, zoned A-1 (Prime Agricultural). Tax Map #54-(A)-57 and #54-(A)-61.

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FINANCE DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Davidson's staff report dated November 8, 2018.

On behalf of the Finance Committee, on motion by Supervisor Breeden, seconded by Supervisor Wolfe-Garrison, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board declared the following items surplus to be disposed of through the public surplus auction website or to be discarded:

Items to Declare Surplus – November 2018

Description	Quantity
Computer Desktop Towers & Processor Cooling Fans	9
Various Monitors	21
Various Monitors	35
Samsung TVs	5
Pump-tru-Test pump	1
Window Tint Meters	5
Desk Chairs	8
Bench	1
Calculator	1
HP Scanjet	1
Type Writer	1
Valley View Modular Unit @ 31 Jewel Street	1

Items to Discard – November 2018

Small Brown Desk	2
Small Black Bookshelf	1

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HUMAN RESOURCES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Mongold's staff report dated November 14, 2018.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board adopted the 2019 Holiday Schedule as follows:

<u>Holiday</u>	<u>Date Observed</u>
New Year's Day	Tuesday, January 1
Lee-Jackson Day	Friday, January 18
Martin Luther King, Jr. Day	Monday, January 21
George Washington's Birthday	Monday, February 18
Memorial Day	Monday, May 27
Independence Day	Thursday, July 4
Labor Day	Monday, September 2
Columbus Day	Monday, October 14
Veteran's Day	Monday, November 11
Offices Close at Noon	Wednesday, November 27
Thanksgiving Day	Thursday, November 28
Day after Thanksgiving	Friday, November 29
Christmas Eve	Tuesday, December 24

Christmas Day
New Year’s Day (2020)

Wednesday, December 25
Wednesday, January 1

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Rhodes’ staff report dated November 14, 2018.

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TECHNOLOGY DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Perry’s staff report dated November 2018.

Mrs. Perry noted that the approved budget for this year included \$180,000 to upgrade the County’s file storage system to allow for future growth. An Invitation to Bid (ITB) was returned from one company, Code Blue, LLC, for \$151,709. Mrs. Perry reported that the County has worked with this company in the past and is comfortable with their services.

On motion by Supervisor Kyger, seconded by Supervisor Breeden, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board authorized staff to enter into a contract with Code Blue LLC, for \$151,709.00 to upgrade the County’s file storage system.

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FIRE AND RESCUE CHIEF’S STAFF REPORT.

The Board received and reviewed Chief Holloway’s staff report dated November 2018.

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PARKS & RECREATION DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mr. Dean’s staff report dated November 5, 2018.

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COURT SERVICES DIRECTOR’S STAFF REPORT.

The Board received and reviewed Mrs. Freeman’s staff report dated November 14, 2018.

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COMMITTEE REPORTS.

The Board heard the following reports from Board members and staff:

COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)

The next scheduled meeting is Monday, December 3, 2018, at 4 p.m.

FINANCE

On motion by Supervisor Breeden, seconded by Supervisor Wolfe-Garrison, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board approved the following Supplemental Appropriation:

1. County Administration Landscaping

A supplemental appropriation in the amount of \$15,000 for landscaping of the beds and islands in the parking lot.

Supplemental Appropriation: \$15,000

\$15,000	GL Code: 1001-04300-00000-000-508305-000	Site Improvements
\$15,000	GL Code: 1001-00000-15201-000-352000-000	General Fund: Fund Balance

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; KYGER – AYE; WOLFE-GARRISON – AYE; the Board approved the following Supplemental Appropriation:

2. Plains District Community Center Boiler

A supplemental appropriation in the amount of \$33,670 for the replacement of the boiler at Plains District Community Center.

Supplemental Appropriation: \$33,670

\$33,670	GL Code: 1001-04300-00000-000-503301-000	Repairs and Maintenance
\$33,670	GL Code: 1001-00000-15201-000-352000-000	General Fund: Fund Balance

On motion by Supervisor Breeden, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board approved the following Supplemental Appropriation:

3. Human Services Building Drainage

A supplemental appropriation in the amount of \$12,000 for the repair of drainage issues at the Human Services Building.

Supplemental Appropriation: \$12,000

\$12,000	GL Code: 1001-04307-00000-000-503301-000	Repairs and Maintenance
\$12,000	GL Code: 1001-00000-15201-000-352000-000	General Fund: Fund Balance

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; KYGER – AYE; WOLFE-GARRISON – AYE; the Board approved the following FY2018-2019 Carryforward Appropriations:

Technology

- | | | |
|------------------------------|----------|---------------------------------|
| 1. Learning Tree Software | \$9,000 | 1001-01220-00000-000-505504-000 |
| 2. Stryker Sales Corporation | \$21,000 | 1001-03201-00000-000-503301-000 |
| 3. Jail Lighting Upgrade | | |
| Capital Tristate | \$87,352 | 1001-03302-00000-000-508305-000 |
| Capital Tristate | \$14,220 | 1001-04301-00000-000-508305-000 |
| 4. Harrisonburg Construction | \$3,947 | 1001-04307-00000-000-503301-000 |
| | \$1,152 | 1001-04300-00000-000-503301-000 |
| 5. Jail HVAC Upgrades | | |
| Valley Engineering | \$97,770 | 1001-09401-00000-000-508390-000 |
| 6. Consolidated Pipe | \$76,400 | 1401-04402-00000-000-508309-000 |
| 7. Valley Automation - SCADA | \$15,835 | 1401-04403-00000-000-508384-000 |

Fire and Rescue Grants**1. HazMat Funds**

A carry forward appropriation in the amount of \$3,176 for the Hazardous Materials grant. Funds received for this program can only be spent on specific activities defined by the grant.

Carryforward Appropriation: \$3,176

\$3,176	GL Code: 1001-03201-10358-000-506065-000	HAZMAT: Minor Equipment
\$3,176	GL Code: 1001-00000-15201-000-352000-000	General Fund: Fund Balance

2. Fire Programs Funds

A carry forward appropriation in the amount of \$37,134 for the Fire Programs Funds. Funds received for this program can only be spent on specific activities defined by the program.

Carryforward Appropriation: \$37,134

\$37,134	GL Code: 1001-03201-10359-000-506065-000	Fire Programs: Minor Equip
\$37,134	GL Code: 1001-00000-15201-000-352000-000	General Fund: Fund Balance

3. Technology

A carry forward appropriation in the amount of \$21,500 for the Risk Analysis that was budgeted in FY2018.

Carryforward Appropriation: \$21,500

\$21,500	GL Code: 1001-01220-00000-000-503109-000	Technology: Other Professional
\$21,500	GL Code: 1001-00000-15201-000-352000-000	General Fund: Fund Balance

4. Four For Life Funding

A carry forward appropriation in the amount of \$103,383 for the Four for Life Funds. Funds received for this program can only be spent on specific activities defined by the program.

Carryforward Appropriation: \$103,383

\$103,383	GL Code: 1001-03203-00000-000-505635-000	Four for Life Funds
\$103,383	GL Code: 1001-00000-15201-000-352000-000	General Fund: Fund Balance

5. Landfill Expansion

A carry forward appropriation in the amount of \$673,207 for the Landfill Expansion Project.

Carryforward Appropriation: \$673,207

\$673,207	GL Code: 1411-04207-00000-000-various-000	Landfill Expansion
\$673,207	GL Code: 1411-00000-15201-000-352000-000	Landfill Fund: Fund Balance

6. McGaheysville Waterline Project

A carry forward appropriation in the amount of \$4,218,404 for the McGaheysville Waterline Project.

Carryforward Appropriation: \$4,218,404

\$4,218,404	GL Code: 1401-04402-00000-000-508383-000	McGaheysville Waterline Project
\$4,218,404	GL Code: 1401-00000-15201-000-352000-000	Water/Sewer Fund: Fund Balance

7. Three Springs Finished Pump

A carry forward appropriation in the amount of \$709,944 for the Three Springs Finished Pump Project.

Carryforward Appropriation: \$709,944

\$709,944	GL Code: 1401-04403-00000-000-508384-000	Three Springs Finished Pump Project
\$709,944	GL Code: 1401-00000-15201-000-352000-000	Water/Sewer Fund: Fund Balance

On motion by Supervisor Breeden, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board approved the following Supplemental Appropriation and authorized the County Attorney to review and initiate a contract with Host Compliance to assist the County in identifying short-term rental properties.

Supplemental Appropriation: \$17,306

\$17,306	GL Code: 1001-01209-00000-000-503302-000	Com. Rev.: Maint. Serv. Contract
\$17,306	GL Code: 1001-00000-15201-000-352000-000	General Fund: Fund Balance

SHENANDOAH VALLEY PARTNERSHIP (SVP)

Assistant County Administrator Armstrong announced that Jay A. Langston is the new executive director of the Shenandoah Valley Partnership.

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COMMITTEE APPOINTMENT.

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; KYGER – AYE; WOLFE-GARRISON – AYE; the Board appointed Kurt Holsopple as a Community Policy and Management Team Private Provider Representative for a term to expire December 31, 2019.

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RECESS.

At 4:34 p.m., Chairman Cuevas recessed the meeting for dinner.

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PUBLIC HEARING – SPECIAL USE PERMITS.

At 6:02 p.m., Chairman Cuevas opened the public hearing and explained the public hearing procedures.

Ms. Stultz reviewed the following special use permit requests:

SUP18-218	Silver Lake Bed & Breakfast, LLC, 92 N. Liberty Street, Harrisonburg 22801, for an event center on property located on the east side of Silver Lake Road (Route 701) approximately 2,000' northeast of Silling Road (Route 913), Election District #2, zoned A-2 (General Agricultural). Tax Map #107-(11)-5. Property Address: 1331 Silver Lake Road
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Supervisor Wolfe-Garrison read the following disclosure statement:

“I need to disclose that I do work at Clark and Bradshaw. The attorneys at Clark and Bradshaw do represent and are part of the special use permit request. That being said, I work in an area of the law firm that has absolutely nothing to do with special use permits and land use issues. Partners of the law firm and I have discussed in extensive terms my participation on the Board of Supervisors and the lawyers from the firm representing clients before this Board and we are in agreement that my employment at Clark and Bradshaw is in no way impacted by any decisions that I might make as a Supervisor on the Board of Supervisors. That being said, I am able to participate in these decisions and discussions in a fair, and objective manner and in the best interest of the public.”

Applicant, Steven Weaver was available for questions. He said from the time the Silver Lake Bed & Breakfast opened, there has been interest from others for small weddings and family reunions on the property. Mr. Weaver said the ten acres in the request is rather secluded. He mentioned that the current water supply is from the City, but said there is a well located on the property that may be used if it meets requirements.

No one spoke in opposition to the request.

SUP18-266 Rockingham Aviation Corp., PO Box 7, Bridgewater 22812, for a fuel farm (bulk storage of liquid petroleum gas) on property located on the west side of Sand Pit Lane (private) approximately 1700' north of Airport Road (Route 727), Election District #4, zoned A-2. Tax Map #137-(A)-34. Property Address: 6514 Sand Pit Lane

Aaron Lorson, Executive Vice-President of Dynamic Aviation, was available to answer questions. He said removing the current underground tank storage system will allow a new above-ground style tank which is much easier to monitor.

No one spoke in opposition regarding the request.

SUP18-284 Jeremy Zimmerman, 7616 Simmers Valley Road, Rockingham 22802, for second dwelling on property located on the west side of Simmers Valley Road (Route 619) approximately 1/2 mile north of Hightown Lane (Route 872), Election District #2, zoned A-2. Tax Map #80-(2)-9. Property Address: 7625 Simmers Valley Road

Applicant Jeremy Zimmerman was available for questions.

No one spoke in opposition to the request.

SUP18-290 Britt Cleveland - Draland Farms, LLC, 4090 Sabrina Court, Penn Laird 22846, for recreation inside a building (gymnastics facility) on property located on the northwest side of Cross Keys Road (Route 276) approximately 1475' northeast of Timber Ridge Road (Route 668), Election District #3, zoned A-2. Tax Map #139-(A)-54 and a portion of #139-(A)-52

Mr. Cleveland said he and his wife would like to open a gym in order to offer activities for children. He said the concerns fire and rescue raised regarding fire code are also concerns of his, and he plans to work with the County for a solution.

Melissa Gladden said that Cross Keys Road already has a lot of traffic and questioned how the facility will impact it further.

Lisa Misted spoke in opposition to the request citing concerns about increased traffic on Cross Keys Road and the number of vehicle accidents that already occur.

Camala Kite, James Barrett, Joseph Barrett, Suzanne Barrett, Becky Hummel and Anita Riggleman each spoke in opposition to the request. Similar concerns were mentioned, including increased traffic, the close proximity of the proposed commercial facility to homes, decreased property values, and light pollution.

At 7:00 p.m., Chairman Cuevas closed the public hearing.

Concerning SUP18-218 of Silver Lake Bed & Breakfast, LLC, Supervisor Wolfe-Garrison suggested continuing the public hearing until the December 12, 2018, meeting at 6 p.m. She explained that the applicants own several of the adjacent parcels and as a result, neighbors who were not legally obligated to be notified, were not aware of the public hearing. She recommended staff send notice to those property owners as well so that they may attend the public hearing if they wish.

With no objections, the Board continued the public hearing for SUP18-218, Silver Lake Bed & Breakfast, LLC, 92 N. Liberty Street, Harrisonburg 22801, for an event center on property located on the east side of Silver Lake Road (Route 701) approximately 2,000' northeast of Silling Road (Route 913), Election District #2, zoned A-2 (General Agricultural). Tax Map #107-(11)-5. Property Address: 1331 Silver Lake Road to December 12, 2018, at 6:00 p.m.

Supervisor Kyger stated that SUP18-266 is in conformance with the use of the property and is an applied function of aviation. Further, he stated that removing the underground tanks and installing newer above-ground tanks is more environmentally safe.

On motion by Supervisor Kyger, seconded by Supervisor Chandler, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board, with the following conditions, approved SUP18-266 Rockingham Aviation Corp., PO Box 7, Bridgewater 22812, for a fuel farm (bulk storage of liquid petroleum gas) on property located on the west side of Sand Pit Lane (private) approximately 1700' north of Airport Road (Route 727), Election District #4, zoned A-2. Tax Map #137-(A)-34. Property Address: 6514 Sand Pit Lane.

Conditions:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. The Statewide Building Code shall be met, and the proper permits shall be obtained.
3. As required by VDOT, all traffic associated with this use shall use the commercial entrance into the airport and shall not use Sand Pit Lane.
4. This permit is contingent upon all Fire Code regulations being met.
5. As required by the Health Department, the fuel tanks shall be placed at least 100 feet from any well.
6. This permit is contingent upon a site plan being submitted to and approved by the County. No work shall be done on the property and the business shall not begin operation until such time as the site plan is approved.

Supervisor Wolfe-Garrison stated that Mr. Zimmerman’s request is compliant with the use of the land and said she hopes it will encourage them to remain a farming family. She reminded him that approval of the request requires the mobile home on parcel 8 to be removed.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Breeden, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board, with the following conditions, approved SUP18-284 Jeremy Zimmerman, 7616 Simmers Valley Road, Rockingham 22802, for second dwelling on property located on the west side of Simmers Valley Road (Route 619) approximately 1/2 mile north of Hightown Lane (Route 872), Election District #2, zoned A-2. Tax Map #80-(2)-9. Property Address: 7625 Simmers Valley Road.

Conditions:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Residence shall comply with the Virginia Uniform Statewide Building Code, and the proper permits shall be obtained.
3. Fire Prevention Code shall be met.
4. If the existing septic system is used, applicants shall submit a Safe, Adequate, and Proper form to the Health Department for approval.
5. Existing manufactured home currently on parcel 8 shall be removed.
6. All supplemental standards regarding additional residence shall be met and shall be attached to the special use permit and become a part of the special use permit conditions. Those supplemental standards will change only if the County supplemental standards regarding additional residences change.
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.

Concerning SUP18-290, Supervisor Chandler stated that there is a need for this type of recreational facility in the County; however, he said it is clear that this is not a good location. He said being familiar with the area and the traffic, he understands the concerns from the community. Supervisor Chandler encouraged the applicants to pursue the gymnastics facility in a better suited location in the County.

On motion by Supervisor Chandler, seconded by Supervisor Kyger, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board, denied SUP18-290 Britt Cleveland - Draland Farms, LLC, 4090 Sabrina Court, Penn Laird 22846, for recreation inside a building (gymnastics facility) on property located on the northwest side of Cross Keys Road (Route 276) approximately 1475' northeast of Timber Ridge Road (Route 668), Election District #3, zoned A-2. Tax Map #139-(A)-54 and a portion of #139-(A)-52.

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ADJOURNMENT.

Chairman Cuevas declared the meeting adjourned at 7:08 p.m.

Chairman