

July 8, 2009

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, July 8, 2009, 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
DEE E. FLOYD, Election District #3
MICHAEL A. BREEDEN, Election District #5

*WILLIAM B. KYGER, JR., Election District #4, was absent

Also present:

JOSEPH S. PAXTON, County Administrator
THOMAS H. MILLER, JR., County Attorney
STEPHEN G. KING, Deputy County Administrator
JAMES L. ALLMENDINGER, Director of Finance
WENDELL J. EBERLY, Director of Recreation & Facilities
WARREN G. HEIDT, Director of Public Works
FRANKLIN P. O'BYRNE, Director of Information Systems
STEPHEN N. RIDDLEBARGER, Director of Human Resources
ROBERT A. SYMONS, Fire & Rescue Chief
WILLIAM L. VAUGHN, Director of Community Development
DIANA C. STULTZ, Zoning Administrator
TAMELA S. GRAY, Deputy Clerk
DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation

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CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE.

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

Supervisor Floyd gave the Invocation. County Attorney Miller led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

On motion by Supervisor Cuevas, seconded by Supervisor Floyd and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - ABSENT; the Board approved the minutes of the regular meeting of June 24, 2009.

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TRANSPORTATION DEPARTMENT.

The Board heard Mr. Komara's report on the activities of the Transportation Department including several road projects and ongoing maintenance.

On behalf of Supervisor Kyger, Supervisor Breeden requested an update on Nutmeg Court. Mr. Komara noted that Nutmeg Court was constructed in numerous phases and some sections of the asphalt are cracking. Nutmeg Court will be added to the overlay schedule in two years and hopefully the developer will help with the expense. In the meantime, VDOT will cut out a piece of the road, level and patch it.

Supervisor Floyd reminded Mr. Komara that he would like the speed limit reduced to 40 miles per hour on Shen Lake Drive (Route 689). Mr. Komara said he would talk with Sheriff Donald Farley about installing an electronic sign to inform drivers of their speed.

Mr. Komara informed Supervisor Cuevas that VDOT should have the deeds for private easements necessary for the improvements to Bergton Road (Route 820) next week to give to Mr. Cuevas for his help in acquiring signatures. The remaining improvements to the road are scheduled for a December advertisement date.

Following an inquiry from Chairman Eberly, there was discussion regarding traffic congestion at Blue Hole. VDOT has installed additional "No Parking" signs, and Mr. Komara will look into installing fold-down "Congested Area" signs for use during the summer months. He explained that lowering the speed limit through this area could be more dangerous as faster moving traffic may collide with slower traffic on curves.

Administrator Paxton provided an update on Port Republic Road and the Southeast Connector. An advertisement for Port Republic Road is anticipated in late fall with construction to begin in the spring of 2010. He noted that most of the required

easements for Port Republic Road have been obtained. There are two possible ways to fund the Southeast Connector: 1) with local match for revenue sharing and state secondary funds, funds from the developer and the Transportation Partnership Opportunity Fund (TPOF) grant; or 2) state funding, developer funds and the local match for the revenue sharing program, and not use the TPOF grant. The TPOF grant requires use of design-build which staff believed would expedite the project but state requirements for design-build transportation projects are more involved than local provisions. Staff will determine how to proceed in the next couple weeks so the Connector project can be completed as quickly as possible.

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COMMUNITY SERVICES BOARD.

Administrator Paxton reported that Lacy T. Whitmore, Jr. was appointed as Executive Director of the Harrisonburg-Rockingham Community Services Board. He has a master's degree from the University of Virginia. Mr. Whitmore has served at the Community Services Board since 1981 and has been the Director of Administrative Services since 1986. He will be invited to the July 22, 2009 meeting to review the State Performance Contract.

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COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Administrator Paxton's staff report dated July 2, 2009.

The Board discussed the request from Keezletown School, LLC and John Hall that the County operate the cannery until October 31, 2010 with full reimbursement to the County by Horizons Learning Foundation. Concern was expressed regarding the County's potential liability. Since school staff and Mr. Hall were notified in March 2009 that the County would discontinue operation of the cannery on June 30, 2009, it was a consensus of the Board that the County will discontinue all support of the cannery.

Administrator Paxton stated that the County is not participating with the Shenandoah Resource Conservation & Development Council in developing a Regional Agricultural Development Coordinator position. He wanted the Board to be aware of the group's desire to hire a Coordinator since financial support may be requested from the County at some future time.

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FINANCE COMMITTEE REPORT.

On motion by Supervisor Cuevas, seconded by Supervisor Breedon and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - ABSENT; the Board approved the following supplemental appropriations and transfer for the fiscal year which ended June 30, 2009:

Sheriff

A supplemental appropriation of \$6,608 for funds received as an award from the RMH Foundation Board. These funds were used to purchase equipment for the alcohol safety program.

Supplemental Appropriation: \$6,608

\$6,608	GL Code: 001-03102-100-8001-000	Machinery & Equipment
\$6,608	GL Code: 001-01899-0300	Gifts and Donations

RUSH Task Force

A supplemental appropriation of \$8,000 for part-time salaries and storage unit rental. Funding will be provided by the General Fund Reserve, the City of Harrisonburg and the State Police.

Supplemental Appropriation: \$8,000

\$ 3,000	GL Code: 001-03103-000-1300-000	Part-time Salaries
\$ 5,000	GL Code: 001-03103-000-5402-000	Lease/Rent Buildings
\$ 2,666	GL Code: 001-01899-0600	Share of Costs-Harrisonburg
\$ 2,667	GL Code: 001-01899-0605	Share of Costs-State Police
\$ 2,667	GL Code: 001-05201-0100	General Fund Reserve

RUSH – COPS Methamphetamine Grant

A supplemental appropriation of \$38,000 for personnel, training and equipment costs associated with the 2006 COPS Methamphetamine Grant. Funding will be provided by a federal grant, no local match is required.

Supplemental Appropriation: \$38,000

\$ 5,300	GL Code: 001-03103-300-1100-000	Salaries and Wages-Full-time
\$ 2,300	GL Code: 001-03103-300-1200-000	Overtime
\$ 1,200	GL Code: 001-03103-300-2100-000	FICA
\$ 3,000	GL Code: 001-03103-300-2201-000	VRS
\$ 6,000	GL Code: 001-03103-300-2300-000	Health Insurance
\$ 200	GL Code: 001-03103-300-2400-000	Group Life Insurance

\$12,000	GL Code: 001-03103-300-5504-000	Professional Development
\$ 8,000	GL Code: 001-03103-300-6065-000	Minor Equipment
\$38,000	GL Code: 001-03900-3800	COPS Meth Grant 2006

A transfer of previously-budgeted funds for salary costs. This \$17,800 transfer is from the 2005 COPS Methamphetamine Grant to the 2006 COPS Methamphetamine Grant.

Transfer:

(\$17,800)	GL Code: 001-03103-200-1100-000	Salaries & Wages Full-time
\$17,800	GL Code: 001-03103-300-1100-000	Salaries & Wages Full-time

ASSET FORFEITURE FUND

A supplemental appropriation of \$20,000 for expenditures by the Sheriff. Funding is provided by asset forfeiture revenue this fiscal year. These funds were used by the Sheriff to pay for equipment and professional development for the department.

Supplemental Appropriation: \$20,000

\$ 20,000	GL Code: 211-03507-000-6014-000	Other Operating Supplies
\$ 20,000	GL Code: 211-02407-0100	Forfeiture Revenue-Sheriff

On motion by Supervisor Cuevas, seconded by Supervisor Breedon and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - ABSENT; the Board authorized the County Administrator, County Attorney and Director of Community Development to finalize negotiations with the Renaissance Group, Inc. and enter into an agreement for the North Valley Pike Study for an amount not to exceed \$115,000.

The Director of Community Development is asked to coordinate with the City to determine its interest in participating in the study and expanding the work into adjacent portions of the City.

Funds will be appropriated in fiscal year 2009-2010 as follows:

NORTH VALLEY PIKE STUDY

North Valley Pike Corridor Strategic Plan - \$115,000

\$115,000	GL Code: 101-09401-000-8399-000	Miscellaneous projects
	101-05201-0100	Capital Fund Reserve

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HUMAN RESOURCES DIRECTOR'S STAFF REPORT.

The Board had received and reviewed Mr. Riddlebarger's staff report dated July 8, 2009 concerning health insurance and dental insurance. Due to information received since his report was distributed, Mr. Riddlebarger requested that the Board disregard his July 8, 2009 staff report. He will provide another report at the July 22, 2009 meeting.

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Heidt's staff report dated July 8, 2009 which updated the Board about ongoing projects.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Vaughn's staff report dated July 8, 2009. Mr. Vaughn reported that an ordinance amendment for manufactured home parks which was to be heard at the Planning Commission Meeting on July 7, 2009 was withdrawn by the applicant prior to the meeting.

A wind energy work group will meet on Friday, July 10, 2009 from 9:00 a.m. until 12:00 p.m. in the Community Room to review working documents prepared by County staff. Mr. Vaughn noted that a wide range of individuals with expertise or interest in wind energy have been invited to attend.

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INFORMATION SYSTEMS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. O'Byrne's staff report dated July 2, 2009. He noted one correction to his staff report: the Information Technology Advisory Committee will meet on Monday, July 20, 2009 at 3:00 p.m.

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RECREATION AND FACILITIES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Eberly's staff report dated July 1, 2009. In response to a question from Chairman Eberly, Mr. Eberly stated the department maintains 14 buildings.

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COMMITTEE REPORTS.

HARRISONBURG-ROCKINGHAM REGIONAL SEWER AUTHORITY

Mr. Heidt reported that Curtis L. Poe, Executive Director of the Harrisonburg-Rockingham Regional Sewer Authority, is retiring effective December 1, 2009. Since Mr. Poe is working on a project scheduled for completion in the fall of 2010, the Authority Board hopes to have a new Executive Director on staff in October to work with Mr. Poe.

PUBLIC WORKS

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - ABSENT; the Board adopted the following administrative plan to meet the grant conditions for the Pesticide Container Recycling Program:

ROCKINGHAM COUNTY PESTICIDE CONTAINER
RECYCLING PROGRAM ADMINISTRATIVE PLAN

1. The location of the collection site is: Rockingham County Landfill, 2400 Grassy Creek Road, Harrisonburg, VA 22801.
2. Collection site hours of operation: Monday thru Friday from 9:00 AM – 4:00 PM, May 1st through September 30th each year.
3. Method for storing accepted pesticide containers: Containers are secured in a locked fifty-three (53) foot trailer.
4. Pesticide container inspection personnel: Lenora McMahan, Darren Hedrick or Linda Zirkle.
5. Handling of containers that are rejected by granulator: These containers are landfilled.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - ABSENT; the Board authorized utilizing the combined services of Hoover Hauling, Ridgetop Excavating and Tro-Budd Excavating to haul approximately 25,000 cubic yards of clay cover material from the

Rockingham Memorial Hospital construction site to the landfill at an estimated total cost not to exceed \$39,000.

The following bids were received:

Contractor	Unit Price
E.C. Pace	\$5.25/cubic yard
A&J Development	\$4.92/cubic yard
Partners Excavating	\$2.99/cubic yard
Commonwealth Excavating	\$2.71/cubic yard
Hoover Hauling*	\$2.17/cubic yard
Ridgetop Excavating*	\$2.17/cubic yard
Tro-Budd Excavating*	\$2.17/cubic yard
Rockingham County Public Works	In-house Fuel and Labor

* Calculated unit rate based on \$65/hr (\$65 / 2.5 trips/hour x 12 yards per load = \$2.17)

SOCIAL SERVICES

A meeting will be held July 23, 2009 at 3:30 p.m. with the newly-reorganized Social Services Advisory Board.

VACo Liaison

Summer meetings will be held in Richmond on August 14, 2009.

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RECOGNITION OF STUDENTS.

Students from Eastern Mennonite University introduced themselves to the Board.

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RECESS FOR DINNER.

Chairman Eberly recessed the meeting at 3:56 p.m.

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At 6:59 p.m., Chairman Eberly closed the public hearing and reconvened the regular meeting.

Supervisor Breeden stated he would also like to visit this property.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - ABSENT; the Board tabled the vacation of an undeveloped street (Leyland Lane) located on the east side of Vine Street just north of Longview Drive in the Hilltop Subdivision.

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ADJOURNMENT.

Chairman Eberly adjourned the meeting at 7:20 p.m.

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Chairman