BOARD OF SUPERVISORS
BRENT V. TRUMBO
Election District No. 1
SALLIE WOLFE-GARRISON
Election District No. 2
RICK L. CHANDLER
Election District No. 3
WILLIAM B. KYGER, JR.
Election District No. 4
MICHAEL A. BREEDEN
Election District No. 5

ROCKINGHAM COUNTY

BOARD OF SUPERVISORS MEETING
January 8, 2020

1:30 P.M. ECONOMIC DEVELOPMENT POLICY WORK SESSION – FIRE & RESCUE TRAINING ROOM, ENTRANCE A, SECOND FLOOR

3:00 P.M. CALL TO ORDER – COUNTY ADMINISTRATOR STEPHEN G. KING
INVOCATION – SUPERVISOR WILLIAM B. KYGER, JR.
PLEDGE OF ALLEGIANCE – ASSISTANT COUNTY ADMINISTRATOR CASEY B. ARMSTRONG

1. Approval of Minutes – Regular Meeting of December 11, 2019

2. Approval of Minutes – Recessed Meeting of December 16, 2019

3. Approval of Minutes – Recessed Meeting of December 18, 2019

4. Reorganization of Board for 2020
   a. Election of Chairman
   b. Election of Vice-Chairman
   c. Recognition of Outgoing Chairman – Michael A. Breeden
   d. Setting of Time and Place for 2020 Regular Meetings and Inclement Weather Policy

5. Review of 2020 Chairman's Committee Appointments

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Recess

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6. Meeting of Countryside Sanitary District
   a. Call to Order – Chairman
   b. Approval of Minutes – Regular Meeting of January 9, 2019
   c. Reorganization of Board for 2020
      1) Election of Chairman
      2) Election of Vice-Chairman
   d. New Business (if any)
   e. Adjourn

7. Meeting of Lake Shenandoah Stormwater Control Authority
   a. Call to Order – Chairman
   b. Approval of Minutes – Special Meeting of December 11, 2019
   c. Reorganization of Board for 2020
      1) Election of Chairman
      2) Election of Vice-Chairman
   d. Report – Lisa K. Perry, Director of Environmental Services
   e. Resolution to Declare Intent to Reimburse
   f. Adjourn

8. Meeting of Lilly Subdivision Sanitary District
   a. Call to Order – Chairman
   b. Approval of Minutes – Special Meeting of August 14, 2019
   c. Reorganization of Board for 2020
      1) Election of Chairman
      2) Election of Vice-Chairman
   d. Water Connection Request
   e. Adjourn

9. Meeting of Penn Laird Sewer Authority
   a. Call to Order – Chairman
   b. Approval of Minutes – Regular Meeting of January 9, 2019
   c. Reorganization of Board for 2020
      1) Election of Chairman
      2) Election of Vice-Chairman
   d. New Business (if any)
   e. Adjourn

10. Meeting of Smith Creek Water and Waste Authority
   a. Call to Order – Chairman
   b. Approval of Minutes – Regular Meeting of January 9, 2019
   c. Reorganization of Board for 2020
      1) Election of Chairman
      2) Election of Vice-Chairman
   d. Carry Forward Appropriation
   e. Adjourn

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Resume Regular Meeting

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11. Report – Virginia Department of Transportation – Residency Administrator Donald F. Komara

12. Consideration – Refund of Overpayment of Taxes – H & M Hennes and Mauritz AB – Commissioner of the Revenue Lowell R. Barb

13. Consideration – Resolution Consenting to Continued Initial Resettlement of Refugees in Rockingham County – Susannah Lepley, Virginia Director of Immigration and Refugee Resettlement

14. Consideration – Resolution in Support of Equal Taxing Authority for Virginia Counties

15 Staff Reports:
   a. County Administrator – Stephen G. King
   b. County Attorney – Thomas H. Miller, Jr.
   c. Assistant County Administrator – Casey B. Armstrong
   d. Director of Finance – Patricia D. Davidson
   e. Director of Human Resources – Jennifer J. Mongold
   f. Director of Public Works – Philip S. Rhodes
   g. Director of Community Development – Rhonda H. Cooper
   h. Director of Technology – Terri M. Perry
   i. Fire & Rescue Chief – Jeremy C. Holloway
   j. Director of Parks & Recreation – Kirby W. Dean
   k. Director of Court Services – Ann Marie Freeman

16. Committee Reports: Airport, Buildings and Grounds, Central Shenandoah Planning District Commission, Chamber of Commerce, Community Criminal Justice Board, Finance, Harrisonburg-Rockingham Metropolitan Planning Organization, Harrisonburg-Rockingham Regional Sewer Authority, Massanutten Regional Library, Public Works, Shenandoah Valley Partnership, Social Services, Technology, VACo Liaison, Chairman, Other

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Recess for Dinner

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6:00 P.M. 17. Public Hearings:

a. Ordinance Amendments:

OA19-255, Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-607. Supplemental standards for certain land uses to increase the size of accessory dwellings from 1200 square feet enclosed area to 1500 square feet enclosed area.

OA19-256, Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-607. Supplemental standards for certain land uses to add supplemental standards for convenience stores in the A-2 and RV zoning districts and amending Table 17-606. Land use and zoning table to show that convenience store in A-2 and RV have supplemental standards.

OA19-267, Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-201 Definitions generally. to allow semi-trailers for storage containers on A-1, A-2 and RV parcels of 2 acres or more and to amend Section 17-607. Supplemental standards for certain land uses to state in the A-1, A-2, and RV parcels of 2 acres or more, if semi-trailers are used for storage, the wheels and axles must be removed and if it is a use that requires a special use permit, such special use permit requirement shall be required for the storage container.

b. Rezoning:

REZ19-265 Whitesel Brothers, Inc., 1332 Garbers Church Rd., Harrisonburg VA 22801 to rezone a 12.038-acre portion of a 168.08-acre parcel located on the west side of Garbers Church Road (Rt. 910) approximately 900' south of Erickson Avenue (Rt. 726) from A-2-General Agricultural to B-1C- General Business with Conditions. The property is within the urban growth boundary and is shown as Mixed Use in the Comprehensive Plan. Tax map # 107-(A)-L201. Election District 2.

c. Special Use Permits:

SUP19-245, Holtzman Properties, LLC, c/o Todd Rhea, Attorney, 92 N. Liberty Street, Harrisonburg, VA 22802 for a convenience store with gas pumps on property located on the west side of Brocks Gap Road (Route 259) approximately 900' north of Bergton Road (Route 820), Election District #1, zoned A-2. Tax parcel #11-(A)-25B.

SUP19-281, William J. Horst, 2665 W. Dry River Road, Dayton 22821 for a storage area for existing machinery and equipment shop on property located on the east side of W. Dry River Road (Route 738) approximately 1/2 mile north of Koogler Road (Route 739), Election District #4, zoned A-1. Tax Map #105-(A)-149A. Property address: 2667 W. Dry River Road.

SUP19-285, Beacon Towers, 105 Broad Street, Third Floor, Charleston, SC 29401 for a 195' telecommunications facility (with 4’ lightning rod) on property located on the northeast side of Waggys Creek Road (Route 742) approximately 3/10 mile northwest of Clover Hill Road (Route 613), Election District #4, zoned A-1. Tax Map #105-(A)-80A & #104-(A)-132A. Property address: 8576 Waggys Creek Road.

SUP19-286, Soil Health Technologies, LLC, 865 Pike Church Road, Rockingham 22801 for a composting site (like use to refuse and recycling center) on property located on the south side of Pike Church Road (Route 701) approximately 3/4 mile east of Mosby Road (Route 712, Election District #2, zoned A-2. Tax Map #123-(A)-104.

d. Intent to Adopt Budget Amendment:

Budget amendment to authorize the expenditure of $6,035,707 of proceeds from bonds issued by the Virginia Resources Authority for the construction and renovation of the Harrisonburg-Rockingham Community Services Board Administration and Medical Offices. The amendment also appropriates the fiscal year 2020 debt service payment on the bonds in an amount of $174,943.

18. Unfinished Business

*** ADJOURN ***

BOARD OF SUPERVISORS PUBLIC HEARINGS
RULES OF PROCEDURE

1. Public Hearings - the order of presentation shall be as follows, unless varied by the Chairman.
   a. Staff report.
   b. Applicant's presentation.
   c. Comments, statements or presentations from members of the public. If a planning or zoning matter, those who are in support of the matter before the Board will speak first; those who have questions or concerns will speak next; those who are opposed will close the public comment period.
   d. Questions from members of the Board

2. The initial presentation by the applicant shall be limited to 10 minutes. Additional time will be granted at the discretion of the Chairman.

3. Each speaker shall be limited to 3 minutes, whether speaking on behalf of a group or as an individual. Additional time will be granted at the discretion of the Chairman.

4. When a large group is anticipated, a speakers' sign-up sheet will be located outside the hearing room. Speakers arriving after the commencement of the hearing will be recognized at the discretion of the Chairman.

5. Repetitive testimony is discouraged.

6. All comments shall be directed to the members of the Board of Supervisors. Debate is prohibited.

7. Public remarks shall be confined to the matter under discussion and shall be relevant. The Chairman shall have the authority to end a presentation that violates these rules.

8. Following discussion of all matters considered in the public hearing, the members will consider one of three actions regarding each matter:
   - Approval (with conditions, as applicable);
   - Denial; or
   - Table for further review.

9. Once the public comment period has been closed, no further public input will be permitted unless clarification is requested by a Board member. The response shall address only those questions raised by the member.

Approved by the Board of Supervisors on May 22, 1996.

December 11, 2019

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, December 11, 2019, 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:

BRYAN F. HUTCHESON, Sheriff

STEPHEN G. KING, County Administrator
THOMAS H. MILLER, JR., County Attorney
RHONDA H. COOPER, Director of Community Development
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
PHILIP S. RHODES, Director of Public Works
MICHAEL L. BOWEN, Deputy Director of Technology
BRADFORD R. R. DYJAK, Director of Planning
KELLY S. GETZ, Code Compliance Officer
DIANA C. STULTZ, Zoning Administrator
TAMELA S. GRAY, Deputy Clerk
JESSICA G. KILBY, Deputy Clerk
DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation
C. BURGESS LINDSEY, Assistant Residency Administrator
Virginia Department of Transportation

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CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE.

Chairman Breeden called the meeting to order at 3:02 p.m.

Chairman Breeden provided the Invocation and Public Works Director Rhodes led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

On motion by Supervisor Chandler, 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 minutes of the regular meeting of November 13, 2019.

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RECOGNITION – PABLO CUEVAS, DISTRICT 1 SUPERVISOR.

Administrator King read the following resolution:

R E S O L U T I O N

WHEREAS, Pablo Cuevas began his service on the Rockingham County Board of Supervisors in January 1990, and has served seven full terms since that time; and

WHEREAS, Mr. Cuevas has given generously of his time, energy and talents in order to make Rockingham County a better place to live, work, and raise a family; and

WHEREAS, in addition to serving thirty years on the Board of Supervisors, Mr. Cuevas has served as President and Chairman of the Massanutten Technical Center Foundation; Councilman for the Town of Broadway; on the Board of Visitors of James Madison University; on the Board of Directors of the Rockingham County Schools Foundation, Harrisonburg/Rockingham Chamber of Commerce, Virginia Poultry Growers Co-op, Inc., United Way of Harrisonburg/Rockingham County, Friendship Industries, Inc., American Red Cross of Harrisonburg/Rockingham County, Association of General Contractors of Virginia and Virginia Plumbing, Heating, Cooling Contractors; as National Director, State Vice President and Chairman of the Virginia Jaycees; Chairman of the Board of Broadway-Timberville Jaycees; member of the Governor's Task Force on Vocational Education for Economic Growth, Broadway Lions Club, Harrisonburg Elks Lodge and Harrisonburg Moose Lodge; served twenty-eight years on the Rockingham County Finance Committee, twenty-seven years on the Public Works Committee, twenty-four years on the School Board Liaison Committee, twenty-three years on the City-County Liaison Committee, seventeen years on the Community Criminal Justice Board and has served as a member of numerous other County committees; and

WHEREAS, Mr. Cuevas, has represented District 1, which includes the Towns of Broadway and Timberville and the communities of Fulks Run, Bergton, Criders, Lacey Spring and Tenth Legion; and

WHEREAS, during Mr. Cuevas' service, the Board undertook many progressive and innovative improvements which have benefited the community, including establishing the South Fork, Mt. Crawford, Aviation and Digital Print Technology Zones and the Economic Grant program to promote economic growth in Rockingham County; authorizing the construction of a water and sewer line which allowed the County to attract a Wal-Mart Distribution Center in the Mt. Crawford area, the addition and renovation to the County Administration Center, construction improvements to Bergton Road, expansions to the County landfill and the food & beverage tax for the County with funds dedicated to education; rezoning of a site for the new Rockingham Memorial Hospital; developing the Plains District Community Recreation Center; working with the Natural Resources and Conservation Service on German River and Naked Creek improvements, as well as the Town of Broadway and the Library Board to relocate the Broadway library; entering an interjurisdictional agreement for the new Broadway Regional Sewer Plant; updating the investment policy; creating the Bergton Library Advisory Commission; redistricting of the County for the 2010 Census; securing the first financial rating for Rockingham County, including a AA+ from the Standard & Poor's rating agency, which has since been upgraded to AAA; completing construction of the Springbrook Road bridge in the Town of Broadway; approving a $4 million upgrade of the County-City emergency communications system, annexation of land by the Town of Timberville to allow extension of town services for a Sentara RMH medical clinic and the land swap of the previous Albert Long Park for property located on Spotswood Trail to create Rockingham Park at the Crossroads; authorizing the design and construction of a key section of the Southeast Connector and the transfer of the Broadway "ball field" to the Town of Broadway to enlarge the Town's adjacent park; establishing the County's Farm First Enterprise Program; and

WHEREAS, Mr. Cuevas, an untiring and committed public servant who has served the citizens of Rockingham County with distinction and has actively promoted the advancement of good government in Rockingham County for many years, will retire from the Board of Supervisors on December 31, 2019.

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NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Rockingham, Virginia, that said Board does hereby recognize and express its sincere gratitude to Pablo Cuevas for his service to the County, and wishes he and his wife Elaine well in the coming years.

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 resolution honoring Supervisor Cuevas.

Board members and staff expressed their appreciation to Supervisor Cuevas for his service to the community over the past thirty years.

Supervisor Kyger read the following letter into the record on behalf of Kim Sandum:

Dear Supervisor Cuevas,

I'm sorry I cannot be there for your last Board of Supervisors meeting. I'm glad our time working on Rockingham County issues has overlapped. I've learned a lot from you. And I am also glad I stayed involved long enough to see the humor and integrity you've shown as you've considered issues that will affect your constituents.

I've long said that whenever you stepped down from the Board the meetings would be a lot less entertaining. Once when my son was younger and regularly accompanying me to Board meetings, I noticed he had stood up and was walking toward the dais during the meeting. When I gave him the What-do-you-think-you're-doing!!? mother's death stare he pointed to you as the instigator. There, at the front of the room, you were beckoning him forward to share some candy with him. You left a friendly impression on him as this was the first thing he recalled when I told him you were retiring from the Board.

Best wishes in your well-earned retirement. I look forward to crossing paths with you out and about in the community in the future.

Sincerely,

Kim Sandum

P. S. If they decide to give you a clock, perhaps it would be best to let Mrs. Cuevas handle the transport.

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AWARD OF SERVICE WEAPON – INVESTIGATOR TIMMY SPITLER.

Sheriff Bryan Hutcheson requested that the Board award Investigator Timmy Spitler with his service weapon. Investigator Spitler retired December 1, 2019, after more than 25 years with the County. Sheriff Hutcheson said that Investigator Spitler served in the full-range for the Sheriff's Department, starting out in the jail, then to patrol, and concluding his career in investigations.

On motion by Supervisor Cuevas, 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; in accordance with Virginia Code Section 59.1-148.3, the Board declared as surplus:

Glock Model 27, Serial number FNT889 – service weapon used by Investigator Spitler

On behalf of the County, Sheriff Hutcheson presented Investigator Spitler with his

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service weapon.

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RECOGNITION – NICOLE R. TERRELL, VICTIM WITNESS DIRECTOR.

Marsha Garst, Commonwealth's Attorney, recognized Nicole Terrell, Victim Witness Program Director, and her assistant, Cindy McNett. Ms. Garst stated that it was an honor for the Commonwealth Attorney's Office to be selected as the top Victim Witness Program in the State of Virginia. Ms. Garst emphasized that much of the success achieved in the Commonwealth Attorney's Office is due in large part to Ms. Terrell and her staff.

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PROCLAMATION – KOREAN WAR VETERANS ARMISTICE DAY.

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 Proclamation read by Administrator King:

PROCLAMATION

WHEREAS, July 27, 2019, marked the sixty-sixth anniversary of the negotiated armistice that ended the Korean War, which began June 25, 1950, when communist North Korea invaded democratic South Korea and claimed an estimated five million casualties, the vast majority of them civilians; and

WHEREAS, on the Korean Peninsula, brave members of the United States Armed Services fought with skill and resolve against tyranny and oppression. Justice, liberty, and democracy prevailed, but victory came at a tremendous cost; and

WHEREAS, more than 33,000 U.S. troops lost their lives in service, more than 103,000 were wounded, and thousands more were captured and held prisoners of war; and

WHEREAS, many Americans returned home burdened by the invisible wounds of post-traumatic stress and memories that never fade; and

WHEREAS, more than six decades after the cease-fire on the Korean Peninsula, our relationship with South Korea continues to flourish; a relationship built on respect, a mutual desire for economic prosperity, and an unwavering commitment to democratic values and peace through strength; a relationship that would not exist were it not for the sacrifices made by our servicemen and servicewomen, and their families.

NOW, **THEREFORE**, **BE IT PROCLAIMED**, by the Rockingham County Board of Supervisors, on behalf of its citizens, that each year July 27, be recognized as **Korean War Veterans Armistice Day** and the Board encourages County citizens to recognize the sacrifices that veterans and their families made during the Korean War.

Chairman Breeden presented the resolution to a Korean War Veteran attending the Board meeting.

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TRANSPORTATION DEPARTMENT.

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

- The Mauzy bridge project over Interstate 81 is making great progress;

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- Work is progressing on Lairs Run Road (Route 921);
- VDOT is waiting for guide wires to be moved on Massanetta Springs Road (Route 687) in order to "slope down" the embankment. The crossover will be widened during the bank improvements;
- Paving is complete on Oakwood Drive (Route 704);
- The Elkton sidewalk project has been awarded and should be finished by July 10, 2020;
- Improvements to Rawley Pike (Route 33 West) will be advertised in the fall of 2020;
- The Friedens Church Road (Route 682) bridge replacement will be advertised in the fall of 2020;
- Upcoming rural rustic work will begin on Power Dam Road (Route 651), Cromer Road (Route 765) and Slab Road (Route 734);
- A public hearing is scheduled for December 12, 2019, from 4-7 p.m., at the Lucy F. Simms Center, regarding two bridges over Interstate 81 and two bridges over the railroad tracks on Country Club Road. Mr. Komara said the four bridges will be replaced using two bridges;
- Recent maintenance included adding stone to gravel roads and preparing for snow removal.

Mr. Komara brought attention to the Route 42 Bike and Buggy Lane project, noting that there is a shortfall in the grant funding and the cost of the project. He explained how left over revenue sharing funds from previous projects could be utilized to bridge the gap. Mr. Komara said he will provide the Board with information before its meeting on December 16, 2019.

Supervisor Kyger reminded Mr. Komara of his request for a traffic count on Ladybug Road (Route 749) and to cut back the bank on Spring Creek Road (Route 613).

Chairman Breeden commended VDOT for the guardrail installation on Island Ford Road (Route 649) and East Side Highway (Route 340), and reported that it was hit the day after installation.

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INTRODUCTION OF STUDENTS.

Students from of East Rockingham High School introduced themselves to the Board.

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COMPREHENSIVE ANNUAL FINANCIAL REPORT - PBMARES.

Betsy Hedrick, CPA, reported that PBMares issued the County an unmodified (clean) opinion on the Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2019. Ms. Hedrick said the internal control over financial reporting and compliance, and the audit of the County's major Federal programs were also clean.

Ms. Hedrick met with the Finance Committee earlier in the day to review the CAFR and management letter. She thanked staff in all departments for the courtesy and cooperation extended to her and her staff during the audit, and noted the audit went very smoothly.

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ORDINANCE AMENDMENT – FULKS RUN PRECINCT.

On motion by Supervisor Cuevas, 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 adopted the following ordinance amendment:

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ORDINANCE
REPEALING AND RE-ENACTING
THE ELECTION DISTRICT NO. 1
PORTION OF
SECTION 6A-6
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA

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

That Section 6A-6 "Precincts and polling places – Establishment and authority" pertaining to Election District No. 1 be and hereby is repealed and re-enacted as follows:

Election District No. 1

	Precinct	*Polling Place*
101	Broadway	Broadway Fire Department
102	Timberville	Plains District Community Center
103	Fulks Run	Fulks Run Elementary School
104	Bergton	Bergton Community Center
105	Lacey Spring	Lacey Spring Elementary School
106	Tenth Legion	Mountain Valley-Tenth Legion Ruritan Hall
107	Plains	Plains District Community Center
108	Little North Mountain	J. Frank Hillyard Middle School

All other portions of Section 6A-6 continue as they were, reaffirmed and unaffected.

This ordinance shall be effective from the 11th day of December, 2019.

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ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. Armstrong's Economic Development staff report dated December 11, 2019.

Josh Gooden, Economic Development and Tourism Coordinator, reported that Go Virginia Region 8 recently proposed a Shenandoah Valley Industrial Hemp Initiative in order to research uses for industrial hemp. All localities in the Valley were asked to contribute and find a consensus for their contributions. Mr. Gooden indicated three localities have already committed funds to go toward the project, and requested a County contribution in an amount not to exceed $5,000.

County Administrator King said the funds are available in the economic development budget. After discussion, by consensus, the Board authorized Administrator King to review the full scope of the project and contribute an amount not to exceed $5,000. The Board requested a final report once the project is complete.

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FINANCE DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Davidson's staff report dated December 3, 2019, which included the FY20-21 budget calendar.

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HUMAN RESOURCES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Mongold's staff report dated December 11, 2019.

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Rhodes' staff report dated December 11, 2019.

PUBLIC WORKS COMMITTEE

Supervisor Cuevas reported that bids were received on November 22, 2019, for extensions to the landfill perimeter fencing. Eight bids were received, with Hurricane Fence Company being the lowest bidder at $57,586.00.

On behalf of the Finance Committee, 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; KYGER – AYE; WOLFE-GARRISON – AYE; the Board authorized staff to accept the bid from Hurricane Fence Company in the amount of $57,586.00 for the landfill boundary fence installation.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Ms. Cooper's staff report dated December 11, 2019.

Ms. Cooper announced a work session scheduled for January 22, 2019, at 4 p.m., regarding the Stone Spring Urban Development Area Plan. She encouraged input in advance so that questions can be answered in a prepared manner. The plan can be accessed on the County's website.

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TECHNOLOGY DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Perry's staff report dated December 2019.

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PARKS & RECREATION DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Dean's staff report dated December 4, 2019.

Mr. Dean reported that he has had conversations with a local Game Warden concerning the location of the County's Annual Kid's Fishing Day. After considerable consideration, Mr. Dean indicated staff is working toward holding the event at Massanutten Resort beginning in 2021. He said that due to the condition of Silver Lake, it is difficult to catch fish and also stated that the pond may not be stocked in the future.

Kid's Fishing Day 2020 is scheduled for March 16, 2020, at Silver Lake in Dayton.

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COURT SERVICES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Freeman's staff report dated December 11, 2019.

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COMMITTEE REPORTS.

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

FINANCE

On behalf of the Finance Committee, on motion by Supervisor Cuevas, 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 2019-2020 supplemental appropriations:

Harrisonburg/Rockingham Social Services District TANF Grant

The Harrisonburg/Rockingham Social Services District received additional funding for a Temporary Assistance for Needy Families (TANF) Competitive Grant. This program is 100 percent federal-funded with no local match required.

$64,474.19	GL Code: 1220-05329-10300-000-505794-000	TANF Competitive Grant
$64,474.19	GL Code: 1220-00000-13303-000-338987-000	TANF Competitive Grant

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Harrisonburg/Rockingham Social Services District Public Assistance Grant

The Harrisonburg/Rockingham Social Services District received additional funding for a Public Assistance Grant. This program is 50 percent federal funds and 50 percent state funds with no local match required.

$60,000	GL Code: 1220-00000-12401-000-324983-000	State Revenue: Public Assistance Grant
$60,000	GL Code: 1220-00000-13303-000-338983-000	Federal Revenue: Public Assistance Grant
$60,000	GL Code: 1220-05302-10100-000-505737-000	State: Public Assistance
$60,000	GL Code: 1220-05302-10200-000-505737-000	Federal: Public Assistance

VIRGINIA ASSOCIATION OF COUNTIES (VACo)

Supervisor Kyger reminded staff of the VACo Rural Caucus on February 5 and VACo Local Government Day on February 6 in Richmond. He reported that the NACo Legislative Conference is scheduled for February 29 – March 4, 2020, in Washington D.C.

CHAIRMAN

Chairman Breeden expressed his appreciation to staff for their hard work during the year. He also stated that it has been a pleasure working with Supervisor Cuevas over the years. Supervisor Breeden said he especially appreciated Mr. Cuevas for his willingness to "take him under his wing" and help him get started when he was first appointed to the Board of Supervisors.

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COMMITTEE APPOINTMENTS.

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 appointed Sally

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Newkirk and Greg "Yogi" Gillette to the Bicycle Advisory Committee for terms to expire December 31, 2022.

On motion by Supervisor Wolfe-Garrison, 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 Kurt Holsopple as a Community Policy and Management Team Private Provider Representative for a term to expire December 31, 2020.

On behalf of Chairman Breeden, on motion by Supervisor Cuevas, 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 Timothy Hulings to represent District 5 on the Economic Development Authority for a term to expire December 31, 2023.

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; KYGER – AYE; WOLFE-GARRISON – AYE; the Board appointed Doug Kisamore to the Recreation Commission for District 5, with a term to expire December 31, 2021.

On motion by Supervisor Chandler, 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 appointed Douglas Driver to represent District 1 on the Economic Development Authority for a term to expire December 31, 2023.

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; KYGER – AYE; WOLFE-GARRISON – AYE; the Board appointed Supervisor Breeden to the Rockingham Recreation Foundation, Inc. Board of Directors for a term to expire December 31, 2021.

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RECESS.

Chairman Breeden recessed the meeting at 4:16 p.m. for a meeting of the Lake Shenandoah Stormwater Control Authority, to be followed by dinner at 5:00 p.m.

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PUBLIC HEARING – REZONINGS.

At 6:00 p.m., Chairman Breeden opened the public hearing and announced that the Bocock special use permit request had been withdrawn. Director of Planning Dyjak reviewed the following rezoning request:

REZ19-190 Request by Andy Piplico (contract purchaser), 3025 River Reach, Williamsburg, VA 23185, to rezone an 8.386-acre parcel located north of Stone Spring Road (VA 280) approximately 400' north of the intersection of Rock Port Drive and Port Hills Drive, from A-2 (General Agricultural District) to R-5C (Planned Neighborhood Residential District with Conditions). Tax Map Parcel #125-(A)-L8A; Comprehensive Plan Designation: Community Residential within the Stone Spring Urban Development Area; Election District 4.

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By a 5 to 0 vote on November 6, 2019, the Planning Commission recommended approval.

Applicant Andy Piplico is the co-owner and managing member of A. P. Builders of Virginia, Inc. Mr. Piplico said he is originally from Waynesboro,Virginia, is a James Madison University graduate, and is excited about bringing this independent living community to the County. He further explained that the independent living community will have no medical components. The community will be marketed to middle-income senior residents, although there will be no age or income restrictions. Mr. Piplico said the community will be affordable since there is no entrance fee for apartments; there is a limited fee for townhouses and detached units. There will be many amenities, programs and activities for the residents, as outlined in the Plan Description.

No one spoke in support or opposition to the request.

Deputy Zoning Administrator Getz reviewed the following request:

REZ19-243 Request by B.P.M.L. Properties, LLC., 14016 Spotswood Trail, Elkton VA 22827 to rezone a portion of a parcel totaling 1.812 acres, located on the south side of Spotswood Trail (U.S. 33) approximately 0.2 mile west of Mt. Hermon Rd. (Rt. 829), from R-3C (General Residential District with Conditions) and A2-(General Agricultural District) to R-3C (General Residential District with Conditions). The property is shown as Community Residential in the Comprehensive Plan. Tax Map #130E-(1)-L1. Election District 5.

Mr. Getz indicated the request will amend the existing proffers on the property.

By a 5 to 0 vote on November 6, 2019, the Planning Commission recommended approval.

Gary Beatty, speaking on behalf of Applicant Pete Bonavita, said they hope to utilize the vacant portion of the building for uses such as a fitness center and hair salon, in addition to the existing professional offices. Recent ordinance amendments to the R-3 district now authorize both of these uses, but these uses were excluded in the existing approved proffered conditions.

No one spoke in opposition to the request.

Chairman Breeden closed the public hearing at 6:10 p.m. to vote on the rezoning requests.

Supervisor Kyger noted that the request from Andy Piplico meets the Urban Development Area requirements and has gone through a lot of vetting. He said this development provides a model for future developments.

On motion by Supervisor Kyger, seconded by Supervisor Chandler, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board, subject to the attached proffers, approved REZ19-190, Andy Piplico (contract purchaser), 3025 River Reach, Williamsburg, VA 23185, to rezone an 8.386-acre parcel located north of Stone Spring Road (VA 280) approximately 400' north of the intersection of Rock Port Drive and Port Hills Drive, from A-2 (General Agricultural District) to R-5C (Planned Neighborhood Residential District with Conditions). Tax Map Parcel #125-(A)-L8A; Comprehensive Plan Designation: Community Residential within the Stone Spring Urban Development Area; Election District 4.

(Note: A copy of the proffers, master plan and plan description for the Andy Piplico rezoning is attached to and made a part of these minutes.)

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On behalf of Chairman Breeden, on motion by Supervisor Chandler, seconded by Supervisor Cuevas, 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, subject to the following proffers, approved REZ19-243, B.P.M.L. Properties, LLC., 14016 Spotswood Trail, Elkton VA 22827 to rezone a portion of a parcel totaling 1.812 acres, located on the south side of Spotswood Trail (U.S. 33) approximately 0.2 mile west of Mt. Hermon Rd. (Rt. 829), from R-3C (General Residential District with Conditions) and A2-(General Agricultural District) to R-3C (General Residential District with Conditions). The property is shown as Community Residential in the Comprehensive Plan. Tax Map #130E-(1)-L1. Election District 5.

Proffers:

PROFFER STATEMENT
B.P.M.L. Properties, LLC.

Subject: Amendments to Proffer Statement approved May 28, 2003 in Rezoning Case #RZ03-03.

Owner: B.P.M.L. Properties, LLC.

Applicant: Pete Bonavita, Owner

Tax Map Parcel : #130E-(1)-L1

Address: 14016 Spotswood Trail, Elkton, Virginia

Date: October 9, 2019

I hereby proffer that the use and development of this property shall be in strict accordance with the following conditions:

1. The allowable uses on this parcel shall be limited to any of the following:
    a. Art Gallery;
    b. Fitness Center;
    c. Medical Office or Clinic;
    d. Office;
    e. Solar energy, small;
    f. Spa.

2. Any future building will be one- story with a residential style roof and the exterior will be brick.

3. B.P.M.L Properties and its successors will continue to maintain the evergreen trees planted as a vegetative screen along the east boundary line beginning 100 feet from the northeast comer and ending 100 feet from the southeast comer at Route 981. Maintenance shall conform to the requirements within Chapter 17, Article VII "Zoning: Development Standards" of the Code of Rockingham County.

The conditions set forth in this proffer statement supersede all conditions set forth in the previous proffer statement approved by the Board of Supervisors May 28, 2003.

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PUBLIC HEARING – SPECIAL USE PERMITS.

At 6:12 p.m., Chairman Breeden opened the public hearing and Ms. Stultz reviewed the following special use permit request:

SUP19-234 MM Weaver Inc., 169 N. Groffdale Road, Leola, PA 17540 for a machinery & equipment center on property located on the northwest side of Sky Road (Route 761) approximately 1000' northeast of Singers Glen Road (Route 763), Election District #2, zoned A-1. Tax Map #92-(A)-138. Property Address: 3959 Sky Road.

Ms. Stultz noted that the applicant indicates this is a temporary situation. If the business grows, they plan to move to a permanent site. She also explained that special use permits convey with the property, unless the Board puts a sunset clause on the permit. After discussions with the applicant, County Attorney and District 2 Supervisor, staff decided that if SUP19-234 is approved, a sunset clause will be added.

Ms. Stultz reviewed requested changes to the conditions as follows:

- **Condition 6** will include a sentence indicating "final determination of VDOT requirements shall be decided by VDOT during site plan review."

- Language will be removed from **Condition 7** regarding a septic system since the special use permit will be temporary.

  Ms. Stultz further explained that if the special use permit expires after a period of 24 months and the applicant wants to remain at that location, reapplication will be required.

  During a conversation with David Atwood from VDOT regarding the requested changes, Mr. Atwood said if the Board approves the request and the location is temporary, VDOT will work with the applicant to cut back on some requirements.

  The fence should be moved, but the applicant may not be required to pay for all the other changes. Mr. Atwood stated if the request is approved, he can start working with the applicant immediately.

- **Condition 9** requires that the storage containers be code-compliant. Therefore, the permit, if approved, will have to be contingent upon the then-current County requirements. Ms. Stultz indicated the applicant was agreeable.

- Ms. Stultz noted that a proposed **Condition 14** was added that this permit shall be limited to no more than three (3) full-time, on-site MM Weaver employees at this location.

Ms. Stultz noted a semi-trailer on the property with no wheels or axles is being used as a storage container. County Code does not currently allow semi-trailers, but Ms. Stultz said an amendment is forthcoming to determine if the Board desires to add semi-trailers to the agricultural district.

In order for the proposed changes to be effective if this permit is approved, the Board should take action on the revised conditions, Ms. Stultz said.

County Attorney Miller requested that the record indicate the Board and Zoning Administrator do not control water and septic requirements. That is why **Condition 7** indicates the Board does not have any objection to them using a portable toilet for a 24-month period. Mr. Miller stated the applicant will have to communicate with the Health Department as the Health Department may have a different opinion.

Eugene Hurst, with MM Weaver, Inc., stated he has two farm equipment dealerships in Pennsylvania selling and servicing Claas equipment. When Grand View Equipment in

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Bridgewater gave up their Claas farm equipment line, Claas approached MM Weaver about opening a Claas business to provide parts and service to Claas customer in the Shenandoah Valley. Mr. Hurst indicated his company does not currently intend to sell new equipment in the Valley. They will use the Sky Road location in Singers Glen temporarily, while they look for a permanent location. Mr. Hurst noted it is important to have parts delivered to local customers as quickly as possible so they can continue to farm.

Supervisor Wolfe-Garrison confirmed that the service business will use a service truck to carry parts, and that repair and replacement services will be performed at the farm site, not at the Sky Road location.

Lewis Horst, one of the owners of the Sky Road property, said he is excited to have parts locally. The nearest Claas farm equipment business is in Waynesboro, Pennsylvania, which is a two-hour trip each way. Mr. Horst noted he has some time-sensitive crops so traveling four hours to obtain parts can affect the quality of the crops.

No one spoke in opposition to the request.

Chairman Breeden closed the public hearing at 6:21 p.m.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Cuevas, 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, which include the modifications and changes presented, approved SUP19-234, MM Weaver Inc., 169 N. Groffdale Road, Leola, PA 17540 for a machinery & equipment center on property located on the northwest side of Sky Road (Route 761) approximately 1000' northeast of Singers Glen Road (Route 763), Election District #2, zoned A-1. Tax Map #92-(A)-138. Property Address: 3959 Sky Road.

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. All Erosion and Sediment Control and Stormwater management regulations shall be met as needed.

4. All requirements of the Rockingham Fire Prevention Code shall be met.

5. 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.

6. All VDOT requirements shall be met, and a copy of the entrance permit shall be submitted to the Community Development Department prior to issuance of a building permit. Final determination of VDOT requirements shall be decided by VDOT during site plan review.

7. This permit shall expire 24 months after issuance, and issuance is restricted to this applicant only. If, within that 24-month period, this applicant ceases operating this machinery and equipment center, at this location, for in excess of 60 days, this permit shall immediately terminate. The Board of Supervisors, for its purposes, has no objection to the use of a portable toilet during this 24-month permit.

8. All supplemental standards involving machinery and equipment center shall be met and shall be attached to the special use permit and become a part of the special use conditions. Those supplemental standards will change only if the County supplemental standards regarding machinery and equipment centers change.

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9. The storage containers used as a part of this business shall be code-compliant storage containers.

10. The office shall be an office trailer or other code-compliant office.

11. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.

12. There shall be no off-premise signs permitted unless all County and State regulations are met.

13. The business shall not begin operation until 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.

14. This permit shall be limited to no more than three (3) full-time, on-site MM Weaver employees at this location.

Chairman Breeden reopened the public hearing at 6:22 p.m., and Ms. Stultz reviewed the following special use request:

SUP19-238 Paula E. Lam, 591 Skyrock Court, McGaheysville 22840 for an event center (to replace existing SUP14-001) and retreat center for training for area businesses on property located on the south side of Rockingham Pike (Route 981) approximately 1/2 mile east of Spotswood Trail (U.S. 33), Election District #5, zoned A-2. Tax Map #129-(A)-123. Property address: 12426 Rockingham Pike.

Ms. Stultz noted a special use permit for a flea market was approved for the property in 2000, and two special use permits were approved later for an event center. In 2018, the property was sold and the current owner came before the Board to increase the number of guests allowed in the event pavilion and add the house as a retreat center instead of a Bed and Breakfast. If the current special use permit request is approved, Ms. Stultz stated the 2014 special use permit will be void.

The requested changes in the proposed special use permit will eliminate the Bed and Breakfast and add the retreat center as a local business. Ms. Lam is also asking that the maximum number of people allowed in the event venue be increased from 100 to 150 and up to 49 in the retreat center in the house. If the numbers are to be enforced, a condition will should added limiting the number of people, Ms. Stultz said.

Ms. Stultz indicated the applicant stated the main business will be for wedding receptions in the event venue. The retreat center in the house will be used for training purposes. If approved, the special use permit will not be limited to just those events. Ms. Stultz said if on-site food preparation service is added, there may be additional building code requirements and the Office of Drinking Water will need to be contacted to determine if the well will need to be regulated.

If adopted, Ms. Stultz proposed that “residence” in **Condition 5** be changed to “retreat center” since this is a change of use permit for a retreat center. Ms. Stultz said if there is a retreat in the retreat center and those guests use the pavilion for part of their retreat or are outside, they would have access to enter the house (retreat center). When events other than retreats start outside of the pavilion (event center), the retreat center will be locked and guests will not be permitted inside.

Chairman Breeden confirmed that the reason for the previous house restrictions under the previous 2000 special use permit were due to a concern about the floor holding the weight. Since the previous owners were living there, a fire separation was needed between the residence and event center. Ms. Stultz noted the big issue was with the deck holding the weight. Ms.

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Stultz reiterated that the applicant's desire is to not have the house open when there are weddings or events going on, but only if there is a retreat group that goes outside for part of their retreat.

Supervisor Wolfe-Garrison confirmed that the maximum number in the retreat center will be 49, and asked if that number was based on the weight concern. Ms. Stultz indicated the number is based on changes the building would require if the attendance exceeded 50 people.

In response to a question from Supervisor Chandler, Ms. Stultz said that the last part of the motion she was requesting the Board include was under **Condition 5**, indicating that when events start outside or in the pavilion, the retreat center is to be locked, and guests shall not be permitted inside the retreat center and **Condition 4**, limiting the number of people in the event center to 150 and 49 in the retreat center.

The applicant, Paula Lam, said she purchased the property as a wedding venue a year ago. Since there are so many wedding venues in the area, she wanted to diversify the business. She looked at other options and worked with Ms. Stultz, who guided her in working this out. They think a retreat center will be good to offer to local businesses during the week to make up for fewer weddings than anticipated. When weddings are held on the property, it is advantageous not to allow wedding guests in their home. That will provide the Lams protection and keep the house in good condition. They do not want parties in their house.

The owners would like for businesses to use the retreat center for training and leadership development during the week. They will continue to have weddings on the weekends, when the opportunity arises.

No one spoke in opposition to this request.

Chairman Breeden closed the public hearing at 6:30 p.m.

On behalf of Chairman Breeden, 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 requested changes to **Condition 4** (limiting the maximum number of attendees) and **Condition 5** (restricting event center guests' access to the retreat center), approved SUP19-238 Paula E. Lam, 591 Skyrock Court, McGaheysville 22840 for an event center (to replace existing SUP14-001) and retreat center for training for area businesses on property located on the south side of Rockingham Pike (Route 981) approximately 1/2 mile east of Spotswood Trail (U.S. 33), Election District #5, zoned A-2. Tax Map #129-(A)-123. Property address: 12426 Rockingham Pike.

CONDITIONS:

1. Use shall be located in substantial accordance to plot plan submitted with the application.

2. Buildings shall comply with the Statewide Building Code and the proper permits shall be obtained to convert the existing dwelling to a commercial establishment.

3. All requirements of the Rockingham Fire Prevention Code shall be met.

4. Guest counts shall be limited to 150 guests in the event center and 49 in retreat center.

5. When events (other than those associated with a retreat) start outside or in the pavilion, the retreat center shall be locked, and guests shall not be permitted inside the retreat center.

6. Any on-site food preparation and service shall require a health department food establishment permit.

7. As required by the Health Department, applicant shall contact the Office of Drinking Water – Lexington Field Office to discuss the proposed water supply and to determine if

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regulation by that office is necessary. A copy of the findings shall be submitted to the Community Development Department.

8. All Erosion & Sediment Control regulations shall be met.

9. If food prep is done on site, additional building code requirements and Health Department requirements shall be met.

10. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.

11. There shall be no off-premise signs permitted unless all County and State regulations are met.

12. Parking shall comply with the Rockingham County Code.

13. If a site plan is required, number of people in the event center shall not increase and the retreat center shall not be used until such time as the site plan is approved.

14. A certificate of occupancy shall be obtained for the dwelling becoming a commercial establishment. This structure shall not be used as a retreat center until this certificate of occupancy is obtained.

15. The certificate of occupancy shall not be issued until all other conditions of this permit are met.

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RECESS.

Chairman Breeden recessed the meeting at 6:31 p.m., for the Board to travel to Spotswood High School to receive public comment on proposed Virginia legislation concerning firearms.

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RECONVENE REGULAR MEETING AT SPOTSWOOD HIGH SCHOOL.

Chairman Breeden reconvened the Regular Meeting of the Rockingham County Board of Supervisors on December 11, 2019 at 7:32 p.m., at Spotswood High School, McGaheysville, Virginia.

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CALL TO ORDER
PLEDGE OF ALLEGIANCE
INVOCATION.

Chairman Breeden called the Recessed Meeting to order at 7:32 p.m. He introduced the Board members and explained that the Board has three options: Do nothing or adopt one of two draft resolutions.

The meeting began with the Pledge of Allegiance and Supervisor Kyger provided the Invocation.

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RECEIVE PUBLIC COMMENT ON PROPOSED VIRGINIA LEGISLATION CONCERNING FIREARMS.

At 7:36 p.m., Chairman Breeden opened the public hearing to receive comments on the proposed Virginia legislation regarding firearms. There was a crowd of approximately 3,500.

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Chairman Breeden invited the first person on the list to speak and encouraged the crowd to be respectful.

Daryl Borgquist from District 5 spoke on behalf of the Rockingham County Republican Committee. He stated the proposed changes to Second Amendment rights will dramatically alter the lives of Virginians by criminalizing firearm ownership, seizing firearms, and criminalizing citizens using firearms for peaceful purposes. He indicated mental health, drugs, gangs, conflicts between family members, neighbors and co-workers are contributing factors to violent shootings. Mr. Borgquist said County citizens request that the Board adopt a resolution to protect their rights, including the right of self-defense and peaceful use of weapons.

(A *copy of Mr. Borgquist's statement is included in the "Attachments – Board of Supervisors Minutes" notebook maintained in Administration.)*

Thea Campbell from District 1 spoke on behalf of the Democratic Committee. Mrs. Campbell expressed concern that the proposed resolution leads citizens to believe the Board of Supervisors has the authority to determine a Virginia State Law is unconstitutional. Mrs. Campbell noted that the Virginia Constitution clearly limits the authority of local governments, and state laws can only be determined unconstitutional through the courts. The resolution does not indicate the local government will uphold constitutional state laws. Mrs. Campbell asked that the Board reject the resolution or table it and add clear language to ensure constituents that the Board will uphold state laws until the courts determine they are unconstitutional.

Dan Cullers, Chairman of the Rockingham County Republican Committee and a District 4 resident, was representing Congressman Ben Cline. Mr. Cullers read a letter from Congressman Cline stating his top priority is to stand strong in defending Second Amendment Rights. He encouraged citizens to speak loudly so the legislature in Richmond will hear them.

(A *copy of Congressman Ben Cline's letter is included in the "Attachments – Board of Supervisors Minutes" notebook maintained in Administration.)*

Billy Davidson said he has been a Rockingham County resident his whole life, with the exception of seven years when he served in the U.S. Army. He indicated the Board needs to provide citizens the right to bear arms because the firearm regulations propose bans, confiscations, regulations, registrations, red flag laws and age restrictions. Mr. Davidson indicated everyone has the right to defend themselves.

Kyle Fisher, a senior at Spotswood High School (SHS), said during his three and a half years at SHS, he has learned to stand strong in the face of bullies and stand up for what is right. He noted that over 40 counties across Virginia have stood up against the General Assembly taking away citizen's rights to bear arms. Mr. Fisher pointed out that the size of the crowd assembled indicates how passionate Rockingham County citizens are about their right to self-preservation.

David Dean stated gun ownership existed before the Constitution was written. It is recognized and protected in the Second Amendment, but he noted that right would still exist if there was no Second Amendment. Mr. Dean said the Board's first draft resolution fails to recognize the gravity of the situation. He went onto say that currently, legislators and the Governor will seek a barrier for law-abiding citizens' access to firearms by passing laws that will make them felons. Mr. Dean closed by asking the Board to move forward by approving the second draft resolution.

Caleb Luker, a Spotswood High School senior, spoke on behalf of his family and community, who want the County to pass a resolution making Rockingham a Second Amendment Sanctuary County. Although Governor Northam is trying to ban dangerous guns or accessories, he has not defined what is dangerous, Mr. Luker said. He noted that proposed legislation limits citizens to purchase one firearm a month, or face a 12-month prison sentence or up to a $2,500 fine. He stated the majority of families in attendance own one or many firearms for protection, hunting or recreational uses and the 14th Amendment in the Bill of Rights indicates the government cannot deprive persons of life, liberty and property.

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Andy Lam said the Second Amendment provides freedoms that the State of Virginia leaders are trying to take away, and Governor Northam is pushing for gun control because he thinks it will end the violence. The problem is not the gun, but the person behind the gun. Mr. Lam said the only thing to stop a bad guy with a gun, is a good guy with a gun. He also said a home that is safe, is a home defended by guns. Mr. Lam stated, "Rockingham needs to be a Sanctuary County tonight."

Jason Ward said America was designed to be different than other countries because it was designed of the people, by the people, for the people. He stated that the Constitution was written to limit the government's power, not the people's power, and the Second Amendment safeguards citizens' liberties to remain the best nation in the world. Any bill that limits the number or type of firearms a citizen can own is infringement. Mr. Ward said the citizens of Rockingham County want the Board to stand with them because it is their responsibility to leave a free country for their children and grandchildren.

Jennifer Brown, Sixth District Chair of the Rockingham County Republican Committee, indicated she was attending as a concerned citizen fighting for her Constitutional rights, as well as the rights of all citizens. She noted the Second Amendment guarantees the rights of people to keep and bear arms, and is not negotiable; people are fighting for a right that has already been guaranteed. This is about upholding the Constitution, taking a stand and defending the rights that every elected official swore to uphold when taking their oath of office. She asked those in attendance to send a message to Richmond.

Bill McDaniel was called to speak, but was not present.

Terry Gates noted that he and his wife enjoy target shooting and teaching young people how to safely and properly use firearms. If Senate Bill 64 is passed, he wonders if his right to teach will be taken away. Mr. Gates said the proposed Senate Bills do not address gun safety; they include language about registration and confiscation. He went onto say that the proposed Bills are drafted by politicians in metropolitan areas without the knowledge of family values or the heritage cherished in the Shenandoah Valley.

Steven Schmidt disagreed with a previous speaker, indicating the people decide constitutionality, not the courts. He asked the Board to help protect citizens, and said if the County does not stand with them, they will stand on their own because they are free people who refuse to be oppressed.

Dwight Williams from Waynesboro (formerly from Rockingham County) indicated he is supporting the Second Amendment rights of his brothers and sisters in Rockingham County. He said the legislation affects all law-abiding citizens whether they are for or against guns, and noted gun control advocates indicate the legislation is for public safety and the interest of saving lives. Mr. Williams said citizens of Rockingham County want to send a message to Richmond that they will not confiscate their firearms, take away their right to bear arms, and penalize citizens for holding onto that right.

Donald McMichael grew up in Virginia, and said the proposed legislation is terrifying because he learned growing up that there is no Second Amendment and there is no First Amendment without the proceeding amendment after it; if you take one away, you lose the other. He wants Rockingham County to follow suit with Frederick County, Virginia, to become a Second Amendment Sanctuary County.

Ruth Jost, a gun owner in western Rockingham County, said she applauded the other law-abiding gun owners in attendance and appreciates individuals who teach gun safety to the next generation. She said the resolution was written to support her gun rights, but the most important constitutional right the state and federal government are bound to protect is the right to life itself. The resolution seems to misunderstand the balance of the rights to guns with the right to life. She said gun rights are safe as long as gun safety is right. She indicated the resolution appears to assume any new gun safety law will be unconstitutional and local officials can refuse to enforce that law. Mrs. Jost said she does not want local officers to be held responsible for a misunderstanding that this resolution seems to create. She stated the courts determine the constitutionality of laws, not local officials.

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Due to interruptions during Mrs. Jost's comments, Chairman Breeden asked the audience to be respectful and give people the opportunity to speak their mind.

Joe Showker noted this is the largest gathering at a political event of this nature. As a coach, his one value is loyalty and team spirit, as a team works together best in unity, he said. The constituents need the Board's support, and he hopes the Board will select the second draft resolution which contains "sanctuary." Mr. Showker stated a "wait and see approach" is not the way to go as Delegates need to take the resolution with them to Richmond.

Malcolm McIntyre asked those opposed to Rockingham County becoming a sanctuary county to stand and very few people stood. Then he asked those in support of the first draft resolution without the word "sanctuary" to stand. When he asked those in support of the second draft resolution, which contains the word "sanctuary" to stand, the majority of those in attendance stood and cheered. Mr. McIntyre indicated he prepared a two-minute speech, but thought that said it all.

At 8:35 p.m., Chairman Breeden stated he was ready to ask the Board for a decision, but also wanted to give others who wanted to speak the opportunity to do so.

Many in the crowd were chanting for the Board to vote and some preferred that those who wished to speak have an opportunity to do so.

Chairman Breeden allow for additional comments from those who wished to speak.

Lyle Walker said the United States Government currently is teaching the FBI and CIA that "gangs" of people will take advantage of businesses and elderly people when society breaks down. He said California has thousands of homeless people. Mr. Walker said it would be terrible if guns are taken away from the citizens of Rockingham County.

A gentleman who did not provide his name said people should not live under the majority rule, as the Constitution is there to protect people's rights. He questioned why there was such a push from the Governor and Attorney General to move forward with the Second Amendment issue, and said he learned that Michael Bloomberg, the former mayor of New York City, has an organization called Everytown for Gun Safety, which gave $1.4 million to the Governor and $700 thousand to the Attorney General during the last election.

Timothy Jost, a Rockingham County resident and Professor at Washington and Lee University, called attention to Section 2.9 of the Rockingham County ordinances, which prohibits disorderly conduct at meetings, including shouting. Mr. Jost said the resolution being considered is deceptive, unbalanced, and false. It misinterprets the current status of gun violence and prevention laws in the role of supervisors. He noted that the Virginia Constitution specifically protects gun ownership, but the proposed resolution does not recognize that.

After Chairman Breeden asked the crowd to give Mr. Jost an opportunity to speak, Mr. Jost continued with his speech, but was unable to complete a sentence.

Mr. Jost submitted another resolution to Administrator King for consideration.

Chairman Breeden again asked that the crowd allow people to speak and stop shouting out. He indicated the next speaker would be the last speaker.

Richard Yoder, a resident of Rockingham County and a gun owner, stated he had good memories of hunting with his family when he was young, and has been a hunter most of his life. He expressed opposition to the first proposed resolution and mentioned the information Tim Jost provided to the Board laid out the legal case against the Second Amendment Sanctuary Resolution and why the Board should not adopt the resolution. Mr. Yoder noted that the second draft of the Second Amendment Resolution provides a basis for protecting gun ownership and addresses preventing gun violence. He said the Board, as the public-elected body, needs to lead the way, and he trusts them to do what is right.

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At 8:47 p.m., Chairman Breeden closed the public hearing regarding the proposed Virginia legislation regarding firearms to call for a vote, and asked that the audience be quiet so they could hear what was being said.

Before addressing the Second Amendment Resolution, Supervisor Cuevas thanked the Board for providing him the opportunity to be "one of them" for 30 years. He indicated he was speaking as one who came here two, three or four generations after the grandparents of those attending, and he came to the United States for a different reason.

In 1959, a group of people used their guns to fight the dictatorship and ended that dictatorship. Shortly after that, citizens were asked to turn their guns in because there was no reason to be fighting among family members to preserve liberty. Supervisor Cuevas' father, who was a farmer, turned in the gun he carried to ensure the safety of his payroll. Most everyone in Cuba turned their guns in because they believed the promise made to them about liberty, freedom and happiness for the rest of their life. Sixty years later, the man who made that promise was still in power.

Supervisor Cuevas asked that those who served in the United States Military to provide freedom for Americans stand. Those present, showed their appreciation by applauding those who served in the military.

Supervisor Cuevas said he worked with businesses and organizations, and was involved in the military, and he knew the sacrifice it took for Americans to be able to talk about things that are important to them. He said this meeting was just one opportunity to express how they feel about the Constitution and Bill of Rights, but he stated "the battle is not over". The battle needs to be heard in Richmond and Washington because Rockingham County residents are all citizens of this nation. He recalled when he raised his right hand and swore his loyalty and commitment to the country he lives in now.

Supervisor Cuevas thanked the attendees for giving him the opportunity to be someone that can get up in the morning and be a part of this nation, the greatest nation on the face of the earth. He said the Board has gone back and forth with legal counsel and staff for several days talking about what being a Second Amendment County means to Rockingham County and its citizens.

Supervisor Cuevas said when he looked around the gymnasium; it is a very personal, meaningful experience for him. He thanked the Board for the opportunity, at his last official meeting of the Rockingham County Board of Supervisors, to make a motion that the Board adopt a resolution declaring Rockingham County, Virginia, a Second Amendment Sanctuary.

Supervisor Chandler noted that the Second Amendment is included in the Resolution along with the other Amendments of the United States Constitution, and to his knowledge, Rockingham is the only county that has declared themselves a Sanctuary County for all the amendments that are citizens' rights.

Supervisor Chandler seconded Supervisor Cuevas' motion.

Supervisor Kyger called for the Question.

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 adopted the following resolution:

RESOLUTION OF ROCKINGHAM COUNTY BOARD OF SUPERVISORS

WHEREAS, each member of the Board of Supervisors of Rockingham County, Virginia, made oath at the time of taking office to support the Constitutions of the Commonwealth of Virginia and the United States of America, an oath which they understand obligates them to stand for and defend all individual rights protected therein; and,

WHEREAS, Article 1, Section 1, of the Constitution of Virginia provides "That all men are by nature equally free and independent and have certain inherent rights, of which, when they

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enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety"; and,

WHEREAS, Article 1, Section 13, of the Constitution of Virginia provides "That a well-regulated militia, composed of the body of the people, trained in arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed"; and,

WHEREAS, the Second Amendment of the United States Constitution provides "A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed"; and,

WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S. 570 (2008), restated that the phrase "shall not be infringed" indicates that the right to bear arms is acknowledged in and protected by the Constitution, but is not created by the Constitution. The right to bear arms was pre-existing and emanates from higher authority; and,

WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, 554 U.S. 570 (2008), affirmed that the term "bearable arms" includes any weapon of offense or thing that a man wears for his defense, or takes into his hands, that is carried for the purpose of offensive or defensive action; and,

WHEREAS, the United Stated Supreme Court in *United States v. Miller*, 307 U.S. 174 (1939), held that firearms that are part of ordinary military equipment, or with a use that could contribute to the common defense are protected by the Second Amendment; and,

WHEREAS, the United States Supreme Court in *District of Columbia v. Heller*, also affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and,

WHEREAS, the United States Supreme Court in *Caetano v. Massachusetts* 577 U.S. 136 S. Ct. 1027 (2016) affirmed that the Second Amendment extends, *prima facie*, to all instruments that constitute bearable arms, even those that were not in existence at the time of the founding, and that this Second Amendment right is fully applicable to the States; and,

WHEREAS, the United States Supreme Court in *McDonald v. Chicago*, 561 U.S. 742 (2010) held that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states; and,

WHEREAS, Article 1, Section 9, of the Constitution of Virginia provides "that the General Assembly shall not pass any bill of attainer, or any ex post facto law"; and,

WHEREAS, Article 1, Section 11, of the Constitution of Virginia provides "that no person shall be deprived of his life, liberty, or property without due process of law"; and,

WHEREAS, the Constitutions of both the Commonwealth and the United States forbid the taking of private property without just compensation; and,

WHEREAS, certain legislation which has been and may be introduced into the Virginia General Assembly would, if adopted, infringe on the rights of law abiding citizens to keep and bear arms as guaranteed by Article 1, Section 13, of the Constitution of Virginia and the Second Amendment of the United States Constitution; and,

WHEREAS, the members of the Rockingham County Board of Supervisors, in carrying out the duties of their office, are concerned about the passage of any bill or execution of any executive order which would infringe on the Constitutional rights of the citizens of Rockingham County; and,

WHEREAS, the Rockingham County Board of Supervisors expresses its opposition to any law that would restrict any constitutional rights, including those protected by Article 1, Section 13, and the Second Amendment; and,

WHEREAS, the Rockingham County Board of Supervisors expresses its intent to stand with others in defense of Virginia Constitution Article 1, Section 13 and U.S. Constitution

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Second Amendment rights and to oppose, within the limits of the Constitutions of the United States and the Commonwealth, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the right of the citizens to keep and bear arms, including through legal action, and the right to petition for redress of grievances.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA:

That the Board of Supervisors hereby expresses its continuing intent to uphold, support and defend all rights protected and guaranteed by the Constitution of the Commonwealth of Virginia and the Constitution of the United States; and in particular:

That the Board of Supervisors hereby expresses its intent to uphold and declares Rockingham County a Sanctuary County, in solidarity with others, for the protection of citizens' rights recognized and protected by Article 1, Sections 1-17 of the Constitution of Virginia; and,

That the Board of Supervisors hereby expresses its intent to uphold and declares Rockingham County a Sanctuary County, in solidarity with others, for the protection of citizens' rights recognized and protected by the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Thirteenth, Fourteenth, Fifteenth, Nineteenth, Twenty-Fourth, and Twenty-Sixth Amendments of the United States Constitution; and,

BE IT FURTHER RESOLVED:

That the Board of Supervisors along with the Rockingham County Sheriff and Commonwealth's Attorney and in solidarity with many other Virginia counties and municipalities does hereby declare Rockingham County, Virginia, a Second Amendment Sanctuary.

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RECESS.

At 9:00 p.m., Chairman Breeden declared the meeting recessed until Monday, December 16, 2019 at 1:00 p.m. in the Administration/Board of Supervisors Conference Room, second floor, County Administrator's Office, County Administration Center; Entrance A, 20 East Gay Street, Harrisonburg, Virginia.

_____,
Chairman

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December 16, 2019

A Recessed Meeting of the Rockingham County Board of Supervisors was held on Monday, December 16, 2019, at 1:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

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
CASEY B. ARMSTRONG, Assistant County Administrator
JESSICA G. KILBY, Deputy Clerk

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CALL TO ORDER

Chairman Breeden called the meeting back to order at 1:03 p.m.

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CONSIDERATION - ROUTE 42 BICYCLE AND BUGGY LANE PROJECT.

Assistant County Administrator Armstrong presented a resolution for the Boards consideration concerning the Route 42 Bicycle and Buggy Lane project. He explained that funding for the project was to come from a Transportation Alternatives Program (TAP) grant of up to a total of $500,000 (with a twenty percent local match). However, responses to the invitation to bid all came in over the engineer's estimate, which is used to set the budget for grant funds. The low bid on the project was from A&J Development for $685,226. With engineering and oversight costs added in, the total project is estimated to cost $743,884. Mr. Armstrong said that staff requested from VDOT the option to use remaining funds from previous road projects to revenue share the amount over the original grant amount. VDOT approved the request and provided a resolution for consideration in order to transfer the funds.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Kyger, and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board adopted the following resolution:

RESOLUTION

APPROVING THE FOLLOWING PROJECT INCLUDED IN VDOT'S SYIP BE DESIGNATED AS AN ELIGIBLE REVENUE SHARING PROJECT:

UPC 107517; Project: EN15-082-102, N501 – Route 42 Bicycle and Buggy Lane
From Eberly Road to 0.1 Miles N of Int of Garbers Church Road – 1.33 Mi

WHEREAS, said project is currently in need of an additional $243,884 to fully fund the project so that it can be awarded, and

WHEREAS, the Board has dedicated monies to another Revenue Sharing project in Rockingham County, Project 0710-082-R66, M501, UPC 101216, which is complete and has surplus Revenue Sharing funds, and

WHEREAS, the Board wishes to utilize $243,884 of the surplus Revenue Sharing funds from Project 0710-082-R66, M501, UPC 101216 indicated above to fully fund and be able to award Project EN15-082-102, N501, UPC 107517.

NOW, THEREFORE BE IT RESOLVED, that project EN15-082-102, N501, UPC 107517 be considered and designated as a Revenue Sharing Project; and that surplus Revenue Sharing funds of $243,884 ($121,942 state/$121,942 local) be re-allocated from Revenue Sharing Project 0710-082-R66, M501, UPC 101216 to Project EN15-082-102, N501, UPC 107517 in order to fully fund the project so that it can be awarded.

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CLOSED MEETING.

On motion by Supervisor Kyger, seconded by Supervisor Wolfe-Garrison, and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board recessed the meeting at 1:07 p.m., for a closed meeting to interview prospective District 1 Supervisor candidates pursuant to 2.2-3711.A, (1), Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

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RECONVENE MEETING.

At 5:31 p.m., Chairman Breeden reconvened the meeting to certify the closed meeting:

MOTION: SUPERVISOR KYGER RESOLUTION NO: 19-13
SECOND: SUPERVISOR WOLFE-GARRISON MEETING DATE: DECEMBER 16, 2019

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Rockingham County Board of Supervisors has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such Closed Meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board of Supervisors.

VOTE:
AYES: BREEDEN, CHANDLER, KYGER, WOLFE-GARRISON
NAYS: NONE
ABSENT:

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DISTRICT 1 SUPERVISOR VACANCY.

On motion by Supervisor Kyger, seconded by Supervisor Chandler, and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE;

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KYGER – AYE; WOLFE-GARRISON – AYE; the Board agreed to offer the District 1 Supervisor seat to Brent V. Trumbo, who will serve until the successful candidate in the November 2020 election is qualified.

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RECESS.

Chairman Breeden recessed the meeting at 5:37 p.m., and stated that the regular meeting will reconvene on December 18, 2019, at 3:00 p.m.

_____,
Chairman

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December 18, 2019

A Recessed Meeting of the Rockingham County Board of Supervisors was held on Wednesday, December 18, 2019, at 3:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

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, County Attorney
CASEY B. ARMSTRONG, Assistant County Administrator
JESSICA G. KILBY, Deputy Clerk

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CALL TO ORDER.

Chairman Breeden called the meeting back to order at 3:03 p.m.

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DISTRICT 1 SUPERVISOR VACANCY.

Supervisor Kyger made a motion, seconded by Supervisor Wolfe-Garrison, to appoint Brent Trumbo as the District 1 Supervisor to replace Supervisor Cuevas upon his departure on December 31, 2019.

Chairman Breeden reported that the Board was privileged to meet with several outstanding candidates who were considered for the District 1 Supervisor position.

Carried by a vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; WOLFE-GARRISON – AYE; the Board appointed Brent V. Trumbo to serve as District 1 Supervisor until the successful candidate in the November 2020 election is qualified.

Chairman Breeden congratulated Mr. Trumbo and said the Board looks forward to working with him to serve County citizens.

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ADJOURNMENT.

Chairman Breeden declared the meeting adjourned at 3:05 p.m.

_____,
Chairman

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SETTING OF DAY AND TIME OF REGULAR MEETINGS.

On motion by Supervisor _____, seconded by Supervisor _____ and carried by a vote of ___ to ___, voting recorded as follows: BREEDEN - ___; WOLFE-GARRISON – ___; CHANDLER - ___; TRUMBO - ___;KYGER - ___; the Board set the 2020 meeting schedule as follows:

Beginning with this meeting held on January 8, 2020, and each second Wednesday thereafter, the first meeting of the month shall commence at 3:00 p.m.

Beginning January 22, 2020, and the fourth Wednesday of each month thereafter, the second meeting of the month shall commence at 6:00 p.m., with the following exceptions: there will be only one meeting held in November on November 18, 2020, at 3:00 p.m.; and, in December on December 9, 2020 at 3:00 p.m.

With regard to meetings delayed due to inclement weather, if a meeting cannot be held due to inclement weather or for any reason as determined by the Chairman, or the Vice-Chairman if the Chairman is not available, the meeting will be held at the scheduled time on the following Wednesday, unless otherwise determined by the Board.

January 9, 2019

A Regular Meeting of the Board of Directors of the Countryside Sanitary District was held at 3:12 p.m. on Wednesday, January 9, 2019, at the Rockingham County Administration Center, Harrisonburg, Virginia.

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
PHILIP S. RHODES, Director of Public Works
TAMELA S. GRAY, Deputy Clerk

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CALL TO ORDER.

Chairman Breeden called the Meeting to order at 3:12 p.m.

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APPROVAL OF MINUTES.

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 approved the minutes of the regular meeting held on January 10, 2018.

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2019 REORGANIZATION OF THE BOARD.

ELECTION OF CHAIRMAN AND VICE CHAIRMAN.

On motion by Supervisor Chandler, 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 elected the Chairman and Vice-Chairman of the Rockingham County Board of Supervisors to serve as the respective Chairman and Vice-Chairman of the Countryside Sanitary District during 2019.

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ADJOURN.

Chairman Breeden adjourned the meeting at 3:13 p.m.

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Chairman

RESOLUTION TO DECLARE AN INTENT TO REIMBURSE

WHEREAS, the Board of Directors of the Lake Shenandoah Stormwater Control Authority (the "Authority"), upon mature consideration, has determined that it is essential for the Authority to acquire, construct, and equip a stormwater management system, including but not limited to the purchase of real property and construction of a stormwater basin and installation of culverts, and pay costs of issuance in connection with such undertakings by the Authority (collectively, the "Project"); and

WHEREAS, the Authority reasonably anticipates to obtain long-term financing of all or any portion of the costs of the Project through the Authority's participation in the pooled bond program offered from time to time by Virginia Resources Authority ("VRA"), or a tax-exempt financing, and accordingly, the Authority shall comply with the provisions of the Internal Revenue Code of 1986, as amended, so that interest on any bond(s) issued by VRA, the proceeds of which are used to fund such loan to the Authority, or by the Authority to another lender (the "Loan"), will remain excludible from gross income for federal income tax purposes in accordance with law; and

WHEREAS, the Authority now desires to declare its intent to use all or any portion of the proceeds of one or more tax-exempt obligations to be issued, in one or more series, to reimburse certain expenditures in connection with the Project, among other things, all as required by federal tax laws, including Treasury Regulations § 1.150-2 in the Internal Revenue Code of 1986, as amended, all as further described below.

NOW THEREFORE, BE IT RESOLVED, as follows:

1. The Authority has paid/has caused to be paid, beginning no earlier than 60 days prior to adoption hereof and will pay/will cause to be paid, on and after the date hereof, certain expenditures (the "Expenditures") in connection with the Project. Further, it has been determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Project-related Expenditures are available only for a temporary period and it is necessary to reimburse the Authority for the Expenditures from the proceeds of such Loan as described above (or otherwise from one or more issues of tax-exempt bonds). Accordingly, the Authority hereby declares its intent and reasonable expectations to reimburse the Authority with all or any portion of the proceeds thereof for the Expenditures with respect to the Project made no earlier than 60 days prior to the adoption hereof. The Authority reasonably expects on the date hereof that it will reimburse the Expenditures with all or any portion of the proceeds of such Loan from VRA.

2. The maximum aggregate principal amount of bond(s) to be issued by the Authority (to VRA, as described above, or other tax-exempt financing(s) as may be necessary or

convenient) in connection with the Project, as described above, is reasonably anticipated to be approximately $2,500,000.

3. The Authority will make a reimbursement allocation, which is a written allocation that evidences the use of proceeds thereof to reimburse the Expenditures, no later than 18 months after the later of the date on which the Expenditure(s) is/are paid or the Project is placed in service or abandoned, but in no event more than three (3) years after the date on which the Expenditure(s) is/are paid. This declaration of intent to reimburse, as required by Treasury Regulations Section 1.150-2 and federal tax laws, shall take effect immediately.

ADOPTED: January 8, 2020

LAKE SHENANDOAH STORMWATER CONTROL AUTHORITY

_____

Chair

CERTIFICATE OF VOTES

The undersigned hereby certifies that the foregoing constitutes a true and correct copy of the foregoing Resolution to Declare an Intent to Reimburse, duly adopted by the Board of Directors of the Lake Shenandoah Stormwater Control Authority, upon a roll-call vote at a regular meeting duly held and called on the date hereof, and that the recorded roll-call vote of the Board is as follows:

Name	AYE	NAY	ABSTAIN	ABSENT
Michael A. Breeden				
William B. Kyger, Jr.				
Rick Chandler				
Sallie Wolfe-Garrison				
Brent Trumbo				

Dated: January 8, 2020

LAKE SHENANDOAH STORMWATER CONTROL AUTHORITY

[SEAL]

_____
Secretary

December 11, 2019

A Special Meeting of the Lake Shenandoah Stormwater Control Authority was held at 4:17 p.m. on Wednesday, December 11, 2019, at the Rockingham County Administration Center, Harrisonburg, Virginia.

Directors 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, Chief Administrative Officer and Secretary
THOMAS H. MILLER, JR., County Attorney
PATRICIA D. DAVIDSON, Treasurer
PHILIP S. RHODES, Director of Public Works
JESSICA G. KILBY, Deputy Clerk to Board of Supervisors

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CALL TO ORDER.

Chairman Breeden called the meeting to order at 4:17 p.m.

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APPROVAL OF MINUTES.

On motion by Director Kyger, seconded by Director 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 minutes of the organizational meeting of November 13, 2019.

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CLOSED MEETING.

On motion by Director Chandler, seconded by Director 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 Authority recessed the meeting from 4:17 p.m. to 4:29 p.m., for a closed meeting pursuant to Section 2.2-3711.A, (3), Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

MOTION: DIRECTOR KYGER RESOLUTION NO: 19-02
SECOND: DIRECTOR CHANDLER MEETING DATE: DECEMBER 11, 2019

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of the Lake Shenandoah Stormwater Control Authority has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such Closed Meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board of the Lake Shenandoah Stormwater Control Authority hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies; and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board.

VOTE:
AYES: BREEDEN, CHANDLER, CUEVAS, KYGER, WOLFE-GARRISON
NAYS: NONE
ABSENT:

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RECONVENE.

Chairman Breeden reconvened the meeting at 4:30 p.m.

On motion by Director Kyger, seconded by Director 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 Authority authorized in principal, a real estate purchase agreement between the Authority and the O'Donnell brothers and instructed staff to finalize the details.

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ADJOURN.

Chairman Breeden adjourned the meeting at 4:35 p.m.

_____
Chairman

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August 14, 2019

A Special Meeting of the Board of Directors of the Lilly Subdivision Sanitary District was held at 4:25 p.m. on Wednesday, August 14, 2019, at the Rockingham County Administration Center, Harrisonburg, Virginia.

Present:

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

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

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
PHILIP S. RHODES, Director of Public Works
JESSICA G. KILBY, Deputy Clerk

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CALL TO ORDER.

Chairman Breeden called the Meeting to order at 4:25 p.m.

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APPROVAL OF MINUTES.

On motion by Supervisor Chandler, seconded by Supervisor Wolfe-Garrison, and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; CUEVAS – AYE; KYGER – ABSENT; WOLFE-GARRISON – AYE; the Board approved the minutes of the meeting held on June 12, 2019.

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WATER CONNECTION REQUEST – 1228 CLOVER HILL ROAD.

Public Works Director Rhodes reported that Grace Glenn, owner of the Dry River Store, submitted a request for a water connection to the line that serves the Lilly Subdivision District. The property is currently served by a cistern. Ms. Glenn would like to serve food at the store, which requires a well or public water supply. She has reported that there is not enough room on the property to construct a well. The regulations of the District allow connections to the line at the discretion of the Board of Directors provided a technical need is demonstrated by the property owner. Ms. Glenn has requested a 1" meter connection. The current rules and regulations only address a connection fee of $3,275 which corresponds to a ¾" connection. Public Works Director Rhodes noted, if considered for approval, Ms. Glenn should pay a connection fee of $8,175 which reflects the cost of a connection fee for a 1" meter. This property is also located on the opposite side of Clover Hill Road from the water main, which will require the applicant to pay the cost of boring the roadway.

On motion by Supervisor Wolfe-Garrison, seconded by Supervisor Cuevas, and carried by a vote of 4 to 0, voting recorded as follows: BREEDEN - AYE; CHANDLER - AYE; CUEVAS - AYE; KYGER – ABSENT; WOLFE-GARRISON – AYE; the Board approved the waterline connection request to the Lilly Subdivision Sanitary District for the Dry River Store located at 1228 Clover Hill Road, with the stipulation that the applicant is required to pay a 1" meter connection fee of $8,175 and the cost of boring the roadway.

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ADJOURN.

Chairman Breeden adjourned the meeting at 4:28 p.m.

_____

Chairman

January 9, 2019

A Regular Meeting of the Board of Directors of the Penn Laird Sewer Authority was held at 3:14 p.m. on Wednesday January 9, 2019, at the Rockingham County Administration Center, Harrisonburg, Virginia.

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
PHILIP S. RHODES, Director of Public Works
TAMELA S. GRAY, Deputy Clerk

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CALL TO ORDER.

Chairman Breeden called the Meeting to order at 3:14 p.m.

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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 held on January 10, 2018.

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2019 REORGANIZATION OF THE BOARD.

ELECTION OF CHAIRMAN AND VICE CHAIRMAN.

On motion by Supervisor Chandler, 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 elected the Chairman and Vice-Chairman of the Rockingham County Board of Supervisors to serve as the respective Chairman and Vice-Chairman of the Penn Laird Sewer Authority during 2019.

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ADJOURN.

Chairman Breeden adjourned the meeting at 3:15 p.m.

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Chairman

January 9, 2019

A Regular Meeting of the Board of Directors of the Smith Creek Water and Waste Authority was held at 3:15 p.m. on Wednesday, January 9, 2019, at the Rockingham County Administration Center, Harrisonburg, Virginia.

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
PHILIP S. RHODES, Director of Public Works
TAMELA S. GRAY, Deputy Clerk

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CALL TO ORDER.

Chairman Breeden called the Meeting to order at 3:15 p.m.

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APPROVAL OF MINUTES.

On motion by Supervisor Chandler, 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 minutes of the regular meeting held on February 28, 2018.

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DRAFT

WRITE-OFF REQUEST.

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 approved a Water/Sewer Fund write-off in the amount of $35.03 for uncollectible balances.

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2019 REORGANIZATION OF THE BOARD.

On motion by Supervisor Chandler, 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 elected the Chairman and Vice-Chairman of the Rockingham County Board of Supervisors to serve as the respective Chairman and Vice-Chairman of the Smith Creek Water and Waste Authority during 2019.

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ADJOURN.

Chairman Breeden adjourned the meeting at 3:17 p.m.

DRAFT

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Chairman

COUNTY OF ROCKINGHAM
VIRGINIA

CONSENTING TO CONTINUED INITIAL RESETTLEMENT OF REFUGEES IN ROCKINGHAM COUNTY

WHEREAS, the County of Rockingham has welcomed refugees facing persecution for many years; and,

WHEREAS, as defined in federal law, refugees are individuals who have been forced to flee their home country due to persecution based on their race, religion, nationality, political opinion, or social group; and,

WHEREAS, the United States government operates the U.S. Refugee Admissions Program and mandates extensive refugee vetting for every refugee resettled to the United States; and,

WHEREAS the County of Rockingham, in cooperation with the federal government and the administration of constitutional and legal programs, has become the home of resettled refugees who may be joined by family members from which they have been separated; and,

WHEREAS, community members, families, local organizations and faith-based institutions have supported the arrival and integration of legal refugee families for years; and,

WHEREAS several local employers hire legal refugees to help grow their business; and,

WHEREAS, the Notice of Funding Opportunity for Reception and Placement Program requires applicants to seek written consent for resettlement of refugees from the chief executive officer of the county government.

NOW, THEREFORE, BE IT RESOLVED BY THE ROCKINGHAM COUNTY BOARD OF SUPERVISORS, this 8th day of January, 2020, that with regard to federal Executive Order 13888 "*On Enhancing State and Local Involvement in Resettlement,*" the Board of Supervisors of Rockingham County, Virginia consents to the initial resettlement of refugees and directs the County Administrator to expressly confirm so in writing to the US Department of State, Bureau of Population, Refugees, and Migration upon passing of this resolution, with a copy of this resolution to be transmitted to the US Department of State, Bureau of Population, Refugees, and Migration.

BE IT FURTHER RESOLVED that this consent shall remain valid until withdrawn.

WHAT ARE THE DIFFERENCES BETWEEN CITY AND COUNTY TAXING AUTHORITY?

#LocalAuthorityLocalSolutions

MEALS TAX

Cities - YES
Counties - BY REFERENDUM

(five counties may levy without referendum, and counties are limited to a rate of 4 percent; no referendum requirements and no cap for cities and towns)

CIGARETTE TAX

Cities - YES
Counties - NO

(limited to two counties at capped rate, but available to all cities and towns)

TRANSIENT OCCUPANCY TAX

CITIES - YES
COUNTIES - CAPPED

(capped for counties at 2 percent without special enabling authority; available to cities and towns without restriction)

ADMISSION TAX

CITIES - YES
COUNTIES - NO

(limited to certain counties with special enabling authority, but available to all cities and towns)

Virginia Association of Counties
www.vaco.org

Support Equal Taxing Authority for Counties

Empower Counties to build stronger Communities

- Counties provide the same core services as cities, such as K-12 education, public safety, social services, and public health, and must have the ability to raise revenue to provide these services.
- Providing counties equal taxing authority provides local boards of supervisors the ability to levy the same taxes that may already be imposed by city councils.
- Members of local boards of supervisors are elected by the residents of counties and are accountable to them for all the decisions they make.
- What about responsibility for road maintenance? Cities and towns that maintain their own roads receive annual maintenance payments from the state. VDOT has owned and maintained county roads since the 1930s. The cost and complexity of turning this responsibility over to counties cannot be simply addressed by equalizing taxing authority.

It's time to level the playing field.

Counties have significant responsibilities and they need revenue options to meet them.

- The distinction between city and county taxing authority is outdated.
  - Service needs have become more complex over time, as both counties and cities respond to modern-day challenges such as enhancing election cybersecurity; providing mental health treatment in jails; addressing substance abuse; maintaining vital infrastructure, such as water and sewer systems; and implementing Next-Generation 911 technology.
  - Experts have long recognized the need to eliminate this inequity in local taxing authority. In 2001, the Commission on Virginia's State and Local Tax Structure for the 21st Century wrote in its report to the Governor and the General Assembly:

    > "*We recommend that this distinction, which is based solely on an historical legalism and which has no relevancy to modern service responsibilities, be eliminated and that* ***the taxing authority of Virginia's cities and counties be equalized****...We find no rational basis for the governing body of a county serving hundreds of thousands of citizens to be constrained in its ability to address the fiscal needs of its community in a manner more severe than that applicable to the governing body of a municipality serving a fraction of that number. This action, in our view, is long overdue.*"

- Limitations on counties' ability to raise revenues from diverse sources result in an over-reliance on real property taxes.
  - According to a June 2017 presentation made by the Division of Legislative Services to the Joint Subcommittee on Local Government Fiscal Stress, 65.6% of local tax revenue in counties comes from real property taxes.
  - Relying so heavily on one source of revenue leaves counties vulnerable to downturns in the real estate market, and places a particular strain on counties with declining populations. Without a robust real property tax base, counties struggle to generate necessary revenue to meet state requirements for the provision of services.

SAMPLE

Resolution of the _____ Board of Supervisors

Support for Equal Taxing Authority for Virginia Counties

Whereas, under the Code of Virginia county governments have less authority to raise revenues to meet their responsibilities than do cities and towns, and

Whereas, limitations on counties' ability to raise revenues from diverse sources result in an over-reliance on real property taxes to fund basic services of local government; and

Whereas, counties are limited in their ability to raise revenues from meals, cigarette, transient occupancy, and admissions taxes that are available to cities and towns; and

Whereas, providing counties equal taxing authority merely provides local boards of supervisors the ability to levy the same taxes that may already be imposed by city councils; and

Whereas, county governments have the same responsibility as cities for the funding of and meeting state requirements for core services, such as K-12 education, public safety, social services, and public health; and

Whereas, relying too heavily on one source of revenue leaves counties vulnerable to downturns in the real estate market and population shifts; and

Whereas, additional tools to raise revenues would allow counties options to invest the necessary additional funds to respond to modern-day challenges, such as enhancing election cybersecurity; providing mental health treatment in jails; addressing substance abuse; maintaining vital infrastructure, such as water and sewer systems; and implementing Next-Generation 911 technology; and

Whereas, state enabling legislation is required to provide counties with this additional taxing authority; and

Whereas, each locality is best positioned to determine the appropriate mix of revenue sources to meet local needs;

Now Therefore, the Board of Supervisors of _____ County does hereby resolve and express its support and desire for the Virginia General Assembly to enact such legislation as is necessary to authorize Virginia counties to exercise additional taxing authority equal to that of cities and towns.

Approved this __ day of _____, 20__

Finance Department Staff Report

January 8, 2020

FY20-21 Budget Calendar - The FY21 budget process is in the beginning stages. Department heads have received their budget detail to begin working on their budget request for the next fiscal year.

Capital Improvement Process - The Capital Improvements Committee met and has prioritized all 48 projects requested during the process. The recommendation is now under financial review.

Vehicle Replacement Plan - Staff has reviewed the County's fleet of vehicles. The current fleet of 121 vehicles are on average 11 years old and have an average 117,000 number of miles. We recommend the County adopt a policy of replacing vehicles once they reach 8 years of age or 150,000 miles. We further recommend that the vehicles be inspected once every six months for cleanliness and maintenance. This review can be facilitated in the Finance Department, working with the County Garage. In order to refresh the current fleet of vehicles, staff recommends replacing 20 vehicles in FY21. Discussions with Department Heads will be held over the next few weeks to make sure they are in agreement and to have them add a budget request for next fiscal year. Requests for replacements will be subject to budget constraints.

Procurement:

Retirement Plan Management Consultant - The County is seeking proposals from qualified Offerors to provide Retirement Plan Advisory Services. The plan is made up of employee participants who save for retirement outside of the Virginia Retirement System. The RFP closed November 15th with five responses. Interviews with the top three were conducted and the committee recommends contracting with Bolton Partners in the amount of $25,000 per year for a term of 5 years to be paid by the employee benefits fund.

Lake Shenandoah Watershed Study and Food Mitigation Proposal - The County is seeking proposals from engineering firms authorized to do business in the state of Virginia, for a watershed study to model the complex conditions of an urbanized watershed, approximately 4 square miles in area, to the southeast of the City of Harrisonburg. The RFP closed December 13th with 6 responses. Interviews will be conducted with the top 3 or 4 firms in the next couple of weeks.

Human Resources **STAFF REPORT** **Agenda Item #__**

January 8, 2020

1. New hires for the month of December

    a. Clerk of the Court – 1 FT (Clerk, vacant position)
    b. Commonwealth Attorney – 1 FT (Secretary, vacant position)
    c. Sheriff's Office – 6 FT (3 Correctional Officers, 2 Deputies, and 1 PCA, vacant positions)
    d. Social Services—3 FT; 1 PT (Family Services Specialists, vacant positions)

Respectfully submitted,

Jennifer J. Mongold

Public Works **Staff Report** **January 8, 2020**

1. Personnel vacancies

   Utilities: 1 vacancy (Utility worker)
   Landfill: 1 vacancy (Assistant Landfill Manager)
   Refuse & Recycling: no vacancies
   Public Works Admin: no vacancies
   Facilities Maintenance: 1 vacancy (Maintenance Technician)

2. Utilities

   McGaheysville 16" Water Line:

   Aaron J. Connor General Contractor, Inc. was awarded the contract for this project on August 14, 2017.

   Update: VDOT approval was received on 11/6/2019 and the project is complete.

   City of Harrisonburg

   The City of Harrisonburg has awarded a contract to Garney Construction Company for installation of a raw water line in the Pleasant Valley area of Rockingham County. This is the first phase of a larger project that will install a raw water line from the Harrisonburg City limits to the South Fork of the Shenandoah River in McGaheysville. Staff is working with the City at the intersection of Autumn Lane and Osceola Springs Road to reroute the County's existing sewer force main which is in conflict with the City waterline alignment. This work should be complete by the end of February.

   Harrisonburg Rockingham Regional Sewer Authority

   Authority capacity – 22 million gallons per day
   November average flow – 11.26 million gallons per day

   Rockingham County capacity – 4.6 million gallons per day
   November average flow – 3.03 million gallons per day

3. Landfill

   Landfill Phase 5-cell A

   Fine grading on the liner subgrade continues in preparation for the stone cushion layer installation. The liner is scheduled to begin installation on 9/18/17. Completion of the liner installation should then be finished before cold weather. The stone work, leachate piping, and final grading/seeding will progress from that point. The completion date per the contract is 8/1/18.

Update: The project is complete and the Department of Environmental Quality issued the Certificate to Operate on November 22, 2019.

The new cell should begin receiving waste starting the week of January 6th.

4. Facilities

Southern Air, Inc. was awarded the contract for the Jail HVAC upgrade at the January 24, 2018 Board meeting. The contract has been signed and the project was started on 4/19/18. Both chillers have been replaced and are in service. Controls and other site work will proceed from this point. Replacement of the 4 air handlers located on the mezzanine is 100% complete. First floor work on all phases is 100% complete.

Update: Second floor work is 95% complete. Third floor work has started and is 60% complete. Boiler replacement is 85% complete. Replacement of the 6 rooftop air handlers is complete. Baker Roofing is 80% complete on the lower (mechanical) area of the Jail roof.

The plans for the renovations to the first floor of the District Courts Building are currently being finalized by Moseley Architects.

Update: Demolition work is still in progress on the first floor.

In the Administration Building, 3 of the 6 above ceiling air handler units have been replaced.

Respectfully Submitted,
Philip S. Rhodes
Director of Public Works

January 8, 2020

STAFF REPORT: COMMUNITY DEVELOPMENT DEPARTMENT

BOARD ACTION REQUESTED

Request to Study Existing Poultry Operations Regulations

Supervisor Sallie Wolfe-Garrison expressed interest in having staff examine existing poultry house regulations. Based upon comments from County residents, many of whom are farmers, three primary concerns have been conveyed: proximity to existing residential dwellings, stormwater run-off, and air particulates generated from the poultry houses.

The poultry facility ordinance was last evaluated over five years ago with the involvement of the agricultural community. Staff requests authorization to research these and related issues, to involve an advisory committee of stakeholders, and to draft any warranted ordinance amendments.

PROJECTS AND REPORTS

REVENUE SHARING AND TRANSPORTATION ALTERNATIVE PROJECT APPLICATIONS (Bradford Dyjak)

Project # & Name	Location	Project Scope	Status	Cost
#5786 VA 253/VA 276 Turn Lanes	Intersection of VA 253 (Port Republic Rd.) & VA 276 (Cross Keys Rd.)	Install left turn lanes on northbound and southbound VA 276 (Cross Keys Road) at intersection with VA 253.	**Revenue Sharing** Application submitted 9/25/19	**$1.5m**
#5790 Lake Shenandoah Watershed Culvert Improvements	2 upstream crossings at Baybrook Drive & Berryfield Drive; Shen Lake Drive (Route 689) crossing	The project would address storm sewer improvements by upgrading two upstream culverts within existing VDOT rights-of-way and reconstructing a road crossing at Shen Lake Drive.	**Revenue Sharing** Application submitted 9/30/19	**$1.61m**
#5887 Garbers Church Road Bike & Buggy Lanes	Garbers Church Road (Route 910) from VA 42 to Erickson Avenue,	• Design and construct paved, 8-foot wide lanes on both sides of road approximately 0.6 miles in length. • The project is proposed to be completed in two phases – Phase 1: preliminary engineering, right-of-way acquisition ($350k) and Phase 2: construction ($1.455m)	**Transportation Alternatives Set-Aside** Grant (TAP) Application submitted 9/30/19.	**$1.805m (Phase 1: $350k)**

PROJECTS AND REPORTS, continued

MOUNT CRAWFORD PARK AND RIDE SMALL AREA STUDY (Rhonda Cooper & Bradford Dyjak)

The County's Small Area Study for 2020, funded entirely by the Harrisonburg-Rockingham Metropolitan Planning Organization (MPO), will generate a concept plan and cost estimate for the expansion of the Mount Crawford Park & Ride. A meeting was held December 18, 2019 between County staff, VDOT, the MPO and consultant from the Timmons Group to review conceptual designs of the proposed park and ride facility. The refined plan and cost estimates would enhance competitiveness of a pending SMART Scale application for the 2020 submission window. According to the MPO's latest assessment, parking demand at the Mount Crawford Park and Ride, located on Route 257 at I-81 Exit 240, is currently operating at over 100% of lot capacity as of a September 2019 survey. The lot also has limited lighting, no ADA access, no bus shelter, or dedicated bus zone.

CSPDC ASSESSMENT RATE CHANGES (Rhonda Cooper)

At the December 16 meeting of the CSPDC (Central Shenandoah Planning District Commission) Executive Committee voted to increase the annual member assessment from 70 cents per capita to 80 cents per capita, effective July 1, 2020, with an additional 1 cent increase for five fiscal years until 85 cents per capita is reached. This is the first increase in ten years. Attached to this staff report are an email announcement from Executive Director Bonnie Riedesel, a member assessment matrix, and a chart comparing assessment rates to per capital income.

ROCKINGHAM BICYCLE ADVISORY COMMITTEE (RBAC) (Bradford Dyjak)

The next RBAC meeting is scheduled for Thursday, January 23, where the committee will consider adoption of the 2020 Annual Work Plan; this plan will be presented at an upcoming Board meeting. The Harrisonburg-Rockingham Bike-Walk Summit lessons and goals were discussed during the RBAC regular committee meeting on November 21. The RBAC also reviewed recommended bicycle and pedestrian projects within the Stone Spring Urban Development Area Plan, and began preparing the Work Plan.

EMERGENCY COMMUNICATION CENTER CAD/DMS CONFIGURATION (Kendrick Smith)

November 19, 2019, was the go-live date for the Emergency Communication Center's new Tyler CAD/DMS system. Rockingham County, JMU and the City of Harrisonburg GIS staff are working with the ECC to create a long-term plan for GIS data updates. CAD configuration began in early May 2019 with Geographic Information Systems departments for the City of Harrisonburg and Rockingham County developing response plans.

PROJECTS AND REPORTS, continued

LAKE SHENANDOAH STORMWATER CONTROL AUTHORITY (Lisa Koerner Perry)

On December 4, 2019, a pre-proposal conference will be held for the RFP for Engineering Services for the Lake Shenandoah Stormwater Control Authority. Six proposals were received December 13, 2019 and are currently under review.

County staff has been working on proposals for fee structure and collection mechanisms for the Authority's associated fee. Findings and proposals will be presented to the Board at the first meeting in January.

ROCKINGHAM COUNTY ROAD PROJECTS

VA 42 Bicycle and Buggy Lane Extension (Lisa Koerner Perry)

- The County received Authorization to Award this project from VDOT on 12/20. This actionable item will be brought before the Board under the Director of Finance's report.

PLANNING COMMISSION ACTIONS

The Planning Commission will hold its regular monthly meeting on January 7th, where no public hearings are scheduled (please reference page 5 of this report for a list of all ordinance amendments).

Item	Description	Comments/ Recommendations
REZ18-273	**Partners Development, Inc.**, 859 Cottontail Trail, Mt. Crawford, VA 22841, is **requesting an amendment to the existing approved proffers** on a 25.704-acre parcel located on the north and west sides of White Oak Drive approximately 700' west of Walnut Creek Drive. The parcel is zoned R2C (Medium Density Residential with Conditions) and is identified in the Comprehensive Plan as Community Residential in the Urban Growth Area. Tax Map #107-(A)-L166, Election District #2.	Motion to recommend approval failed 2-3 on 1/2/19; **Pending before Board; applicant has been granted postponement of 2/13/19 hearing.**

CAPITAL IMPROVEMENTS PROGRAM (CIP) Update Process (Rhonda Cooper & Bradford Dyjak)

The CIP Advisory Subcommittee is reviewing the requests with staff's technical assistance; a recommended CIP will be presented to the Planning Commission in February. The Planning Commission established the Subcommittee at its September 3 meeting and appointed Commissioner Kevin Flint in addition to citizen representatives Dennis Driver and Kim Sandum at the October 1 meeting. Assistant County Administrator Casey Armstrong and Cheryl Mast, representing the County School Board, also serve on the five-member subcommittee. The subcommittee reviewed project requests through a series of meetings with department heads and relevant staff members from October 15 – November 12.

PRIORITY PROJECTS UNDERWAY BY STAFF

Projects	Lead Person	Status	Target Date
Stone Spring Urban Development Area (UDA) Plan	Rhonda & Bradford	Final draft plan completed and recommended by Planning Commission 12/3.	Board Work Session & Public Hearing: 1/22/2020
Census 2020 Complete Count Committee	Bradford	Met with County high school government teachers, City and JMU representatives to coordinate outreach.	Ongoing through April 2020
Capital Improvement Program (CIP) Update FY 2021-25	Rhonda & Bradford	CIP Advisory Subcommittee met 10/15, 10/21 & 11/4. Met 11/12 to prioritize projects.	Recommendations to PC by 2/4/2020

Ongoing Review/Tasks	Lead Person	Status
Deed Review	Diane	20 deeds under review as of 12/31/19: 7 pending review, 13 awaiting revision.
Violations	Kelly	46 active complaints, 25 cases pending legal action as of 12/31/19
Site Plans & Subdivisions	Bradford	13 site plans and 4 subdivisions under review as of 12/31/19
Subdivision Ordinance Variances	Diana	0 requests under review, as of 1/2/20
Zoning Variances	Diana	1 request under review, as of 1/2/20
Zoning Appeals	Diana	1 request under review, as of 1/2/20
Home Occupation Permits	Diana	0 permit requests under review, as of 1/2/20
Home Business Permits	Diana	0 permit request sunder review, as of 1/2/20
Special Use Permits	Diana	8 permit requests under review, as of 1/2/20
Special Entertainment Permits	Diana	0 permit requests under review, as of 1/2/20
Rezonings	Bradford	5 rezoning requests under review, as of 12/31/19
Comprehensive Plan Amendments	Bradford	0 requests under review, as of 12/31/19
Permits and Fees Processed	Joe	539 total transactions for month of December 2019
Building Inspections	Joe	1674 inspections conducted during December 2019 (averaged 57.72 inspections per day)
Building Plans	Joe	31 plans under review, as of December 31, 2019
Environmental (E&S/Stormwater) Plan Review	Lisa	16 plans under review / 30 approved and awaiting permit issuance as of 1/2/2020
Environmental Inspections	Lisa	535 inspections conducted in December 2019
Addressing Structures	Kendrick	25 new structures addressed in December 2019
Naming of New Roads	Kendrick	0 new roads named in December 2019

COUNTY-INITIATED ORDINANCES

Amendment (OA#)	Chapter/ Section	Reason & Scope	Status
1. **(OA18-343) Private Streets- R-3 Rowhouses & Apartments**	**17-700, 701**	Private streets for rowhouses and apartments in R-3 district; POA ownership changes; Review of private streets design standards ongoing.	Board Adopted OA18-343 on 1/23/19; Further study of private street standards ongoing.
2. **Review of A-1 & A-2 District Uses**	**17-302 & 17-303; Ch. 16**	Evaluate distinction of uses between the two districts and ensure consistency; consider consolidation into a single agricultural zoning district.	Board authorized study 8/23/17; Staff study is ongoing.
3. **Review of PMR District Requirements**	**17-409**	The study will evaluate appropriate uses and regulations for maximum development flexibility.	Board authorized study 12/12/18; Staff has performed a comparative analysis.
4. **Review of Signage Code**	**17-707**	Staff will review Planned District sign submission requirements, line-of-sight standards, review code organization.	Board authorized study 12/12/18
5. **Wireless Telecommunications Facilities**	**Ch. 17, Article VI**	Ensure consistency with recent updates to state code limiting the scope of review for local governments of such facilities.	Board authorized study 7/17/19
6. **(OA19-261) Inoperable Vehicles**	**11-31 –40 & 17-201**	Revise "automobile graveyard" definition; review screening and vehicle removal provisions.	Board authorized study 8/14/19; **Scheduling**
7. **(OA19-255) Accessory Dwellings**	**17-607**	Revise to allow up to 1,500 sq. ft. units accessory to the primary dwelling.	PC recommended approval 12/3/19; **Board Hearing 1/8/20**
8. **(OA19-256) Convenience Stores in A-2 & RV Districts**	**17-606 & 607**	Limit total area for convenience stores to 4,000 ft^2 and restaurant area to 20% of store in A-2 and RV.	PC recommended approval 12/3/19; **Board Hearing 1/8/20**
9. **(OA19-267) Semi-Trailer Storage**	**17-201**	To allow semi-trailers for storage containers on A-1, A-2 and RV parcels of 2 acres or more.	PC recommended approval with amendment 12/3/19; **Board Hearing 1/8/20**

UPCOMING PUBLIC HEARINGS

January 8, 2020, Board of Supervisors, at 6:00 p.m.

Ordinance Amendments

1. **OA19-255,** Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-607. Supplemental standards for certain land uses to increase the size of accessory dwellings from 1200 square feet enclosed area to 1500 square feet enclosed area. ***The Planning Commission recommended approval on December 3, 2019 on a 5-0 vote.***

2. **OA19-256,** Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-607. Supplemental standards for certain land uses to add supplemental standards for convenience stores in the A-2 and RV zoning districts and amending Table 17-606. Land use and zoning table to show that convenience store in A-2 and RV have supplemental standards. ***The Planning Commission recommended approval on December 3, 2019 on a 5-0 vote.***

3. **OA19-267,** Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-201 Definitions generally to allow semi-trailers for storage containers on A-1, A-2 and RV parcels of 2 acres or more and to amend Section 17-607. Supplemental standards for certain land uses to state in the A-1, A-2, and RV parcels of 2 acres or more, if semi-trailers are used for storage, the wheels and axles must be removed and, if it is a use that requires a special use permit, such special use permit requirement shall be required for the storage container. ***The Planning Commission recommended approval with amendments on December 3, 2019 on a 5-0 vote.***

Rezoning- Requiring a Public Hearing

1. **REZ19-265, Whitesel Brothers, Inc.,** 1332 Garbers Church Rd., Harrisonburg VA 22801 to rezone 12.038 acres located on the west side of Garbers Church Road (Rt. 910) approximately 900' south of Erickson Avenue (Rt. 726) from A2-General Agricultural to B-1- General Business. The property is within the urban growth boundary and is shown as Mixed Use in the Comprehensive Plan. Tax map # 107-(A)-L201. Election District 2. ***The Planning Commission recommended approval on December 3, 2019 on a 5-0 vote.***

Special Use Permits

1. **SUP19-245, Holtzman Properties, LLC.,** c/o Todd Rhea, Attorney, 92 N. Liberty Street, Harrisonburg, VA 22802 for a convenience store with gas pumps on property located on the west side of Brocks Gap Road (Route 259) approximately 900' north of Bergton Road (Route 820), Election District #1, zoned A-2. Tax parcel #11-(A)-25B.

2. **SUP19-281, William J. Horst,** 2665 W. Dry River Road, Dayton 22821 for a storage area for existing machinery and equipment shop on property located on the east side of W. Dry River Road (Route 738) approximately 1/2 mile north of Koogler Road (Route 739), Election District #4, zoned A-1. Tax Map #105-(A)-149A. Property address: 2667 W. Dry River Road.

3. **SUP19-285, Jonathan L. Yates for Beacon Towers,** 105 Broad Street, Third Floor, Charleston, SC 29401 for a 195' telecommunications facility on property located on the northeast side of Waggys Creek Road (Route 742) approximately 3/10 mile northwest of Clover Hill Road (Route 613), Election District #4, zoned A-1. Tax Map #105-(A)-80A & #104-(A)-132A. Property address: 8576 Waggys Creek Road.

4. **SUP19-286, Soil Health Technologies, LLC.,** 865 Pike Church Road, Rockingham 22801 for a composting site (like use to refuse and recycling center) on property located on the south side of Pike Church Road (Route 701) approximately 3/4 mile east of Mosby Road (Route 712, Election District #2, zoned A-2. Tax Map #123-(A)-104.

REQUESTS TABLED BY BOARD OF SUPERVISORS

SPECIAL USE PERMIT APPLICATION(S)					
Year Tabled	Date Tabled	File	Applicant	Request	Election District
-	-	-	-	N/A	-

REZONING REQUEST(S)					
Year Tabled	Date Tabled	File	Applicant	Request	Election District
-	-	-	-	N/A	-

STAFF DIRECORY – 21 Filled Positions, 5 Vacant Positions

Name	Job Title	Office Number	Mobile Number
ADMINISTRATION			
Rhonda Cooper	Director	564-3033	271-5061
(Vacant)	Deputy Director	N/A	N/A
(Vacant)	Administrative Assistant	N/A	N/A
PERMIT INTAKE & PROCESSING			
Lisa McDonald	Permit Specialist I	564-3038	N/A
Kelley Ann Weatherholtz	Permit Specialist II	564-3040	N/A
Kayla Yankey	Permit Specialist II	564-6024	N/A
BUILDING CODE ENFORCEMENT			
Joe Shifflett	Building Official	564-3041	578-1558
(Vacant)	Deputy Building Official	564-3046	578-1120
JN Riddel	Building Inspector	N/A	578-1121
Rick Davis	Building Inspector	N/A	830-8018
Danny Mason	Building Inspector	N/A	578-3515
Ben Terry	Building Inspector	N/A	578-1123
Josh Haugh	Building Inspector	N/A	607-9535
PLANNING, ZONING, DEVELOPMENT, & GEOGRAPHIC INFORMATION SYSTEMS			
Bradford Dyjak	Director of Planning	564-1513	578-2659
Diana Stultz	Zoning Administrator & Subdivision Agent	564-3032	830-8017
Diane Lepkowski	Deputy Zoning Administrator & Deputy Subdivision Agent	564-3037	578-1126
Kelly Getz	Deputy Zoning Administrator & Code Compliance Officer	564-6063	810-5024
Mark Rathke	GIS Specialist	564-5076	N/A
Kendrick Smith	GIS Technician	564-3029	830-5811
Patrick Wilcox	Senior Planner	564-5074	271-2952
Zachary Popovich	Permit Specialist (Temporary Part-time)	574-3790	N/A
(Vacant)	Development Plan Manager	N/A	N/A
ENVIRONMENTAL SERVICES			
Lisa Koerner Perry	Director of Environmental Services	564-6095	271-8760
Adam Hancock	Stormwater Management Program Administrator	564-1529	271-6523
(Vacant)	Environmental Inspector	564-3047	607-3665
Justin Turner	Environmental Inspector	N/A	560-5589

From:	Bonnie Riedesel <bonnie@cspdc.org>
Sent:	Tuesday, December 17, 2019 11:17 AM
To:	Adam Fletcher (adam.fletcher@harrisonburgva.gov); Billy Fitzgerald (billyfitzgeraldbv@gmail.com); Carolyn Dull; Chris Slaydon (cslaydon@rockbridgecountyva.gov); Edward "Eddy" T. Hicklin; Frank Friedman (ffriedman@lexingtonva.gov); Frank Friedman (friedmanf@cornerstonebankva.com); G. L. "Butch" Wells (bwells@co.augusta.va.us); George Hirschmann (george.hirschmann@harrisonburgva.gov); Jay Lewis (jlewis@rockbridgecountyva.gov); Kevin Wagner (kww423@icloud.com); Kim Sandum (ksandum@shenandoahalliance.org); Leslie Tate (ltate@co.augusta.va.us); Marshall Pattie; Rhonda Cooper; Rick Chandler; Sal Romero (sal.romero@harrisonburgva.gov); Sharon E. Angle (ladystaunton@verizon.net); Steven Schofield (saschofield@liberty.edu); Terry Short (ShortTR@ci.waynesboro.va.us); Veronica "Vickie" Moran (vickie.benson@vadoc.virginia.gov); Warren Rusty Johnson Jr. (johnson.rusty30@yahoo.com)
Cc:	Lee Bell
Subject:	CSPDC Assessment Rates
Attachments:	Annual_Member_Assessment_Matrix.pdf; CSPDC Assessment Rate vs Per Capital Personal Income 2019_12.pdf

Good morning Commissioners,

At last night's Commission meeting, the Executive Committee approved an increase in the annual member assessment from 70 cents per capita to 80 cents per capita effective July 1, 2020, with an additional 1 cent increase for five fiscal years until 85 cents per capita is reached.

The CSPDC annual member assessment is currently at 70 cents per capita. The assessment rate is the same today as it was 10 years ago. The rate has failed to keep pace with economic progress in our area and with labor cost inflation. This means we have fewer staff hours to support each dollar of match funds used to invest in the Central Shenandoah region.

The annual member assessment is critical to the Commission in helping us match state and federal grants and to ensure we have staff resources needed to respond to the needs of our local jurisdictions when called upon. Dedicated funding through annual assessments allows us stability with staffing so that we are not dependent on grants that may or may not be awarded.

A 10 cents increase from 70 cents to 80 cents would generate approximately $30,000 for the FY21 budget. Attached is a matrix that shows the increase difference by jurisdiction for FY21 as well as the assessment increase over the next six fiscal years. Also included is a chart that shows the historical assessment rates since 2005. The final chart is a comparison of the per capita personal income for the region vs. our current assessment rate and supports a rate adjustment to keep pace with inflation.

Thank you for your support of the annual assessment increase that will give us the much needed resources to serve our member jurisdictions in the coming year. Please do not hesitate to call me if you have any questions.

Happy Holidays!

Bonnie

Bonnie S. Riedesel
Executive Director
Central Shenandoah Planning District Commission
112 MacTanly Place
Staunton, VA 24401
540-885-5174 (phone)
540-885-2687 (fax)
bonnie@cspdc.org

50 Years
CSPDC
Leading Regional Collaboration from 1969-2019

FY 21 Annual Member Assessment Matrix: $0.70 CSPDC					
LOCALITY	2018 POPULATION	% OF PDC POPULATION	BASE AMOUNT	PER CAPITA AMOUNT	TOTAL
Augusta	75,254	25.0%	$ 7,035	$ 35,119	$ 42,153
Bath	4,429	1.5%	7,035	2,067	9,102
Buena Vista	6,351	2.1%	7,035	2,964	9,998
Harrisonburg	54,606	18.1%	7,035	25,483	32,517
Highland	2,265	0.8%	7,035	1,057	8,092
Lexington	7,362	2.4%	7,035	3,436	10,470
Rockbridge	22,539	7.5%	7,035	10,518	17,553
Rockingham	81,422	27.0%	7,035	37,997	45,032
Staunton	24,972	8.3%	7,035	11,654	18,688
Waynesboro	22,285	7.4%	7,035	10,400	17,434
TOTAL	301,485	100.0%	$ 70,347	$ 140,693	$ 211,039

FY 21 Annual Member Assessment Matrix: $0.80 CSPDC						
LOCALITY	2018 POPULATION	% OF PDC POPULATION	BASE AMOUNT	PER CAPITA AMOUNT	TOTAL	CHANGE FROM $0.70
Augusta	75,254	25.0%	$ 8,040	$ 40,135	$ 48,175	$ 6,022
Bath	4,429	1.5%	8,040	2,362	10,402	1,300
Buena Vista	6,351	2.1%	8,040	3,387	11,427	1,429
Harrisonburg	54,606	18.1%	8,040	29,123	37,163	4,646
Highland	2,265	0.8%	8,040	1,208	9,248	1,156
Lexington	7,362	2.4%	8,040	3,926	11,966	1,496
Rockbridge	22,539	7.5%	8,040	12,021	20,060	2,507
Rockingham	81,422	27.0%	8,040	43,425	51,465	6,433
Staunton	24,972	8.3%	8,040	13,318	21,358	2,670
Waynesboro	22,285	7.4%	8,040	11,885	19,925	2,491
TOTAL	301,485	100.0%	$ 80,396	$ 160,792	$ 241,189	$ 30,150

FY 21 - FY 26 Annual Member Assessment Matrix						
LOCALITY	**FY 2021**	**FY 2022**	**FY 2023**	**FY 2024**	**FY 2025**	**FY 2026**
ASSESSMENT	**$ 0.80**	**$ 0.81**	**$ 0.82**	**$ 0.83**	**$ 0.84**	**$ 0.85**
Augusta	$ 48,175	$ 48,777	$ 49,379	$ 49,982	$ 50,584	$ 51,186
Bath	10,402	10,532	10,662	10,792	10,922	11,052
Buena Vista	11,427	11,570	11,712	11,855	11,998	12,141
Harrisonburg	37,163	37,627	38,092	38,556	39,021	39,485
Highland	9,248	9,363	9,479	9,594	9,710	9,826
Lexington	11,966	12,116	12,265	12,415	12,564	12,714
Rockbridge	20,060	20,311	20,562	20,813	21,063	21,314
Rockingham	51,465	52,108	52,751	53,395	54,038	54,681
Staunton	21,358	21,625	21,892	22,159	22,426	22,693
Waynesboro	19,925	20,174	20,423	20,672	20,921	21,170
TOTAL	**$ 241,189**	**$ 244,203**	**$ 247,217**	**$ 250,233**	**$ 253,247**	**$ 256,262**

Historical Annual Member Assessment Rates CSPDC							
2005	**2006**	**2007**	**2008[1]**	**2009**	**2010**	**2011**	**2012**
$ 0.35	$ 0.35	$ 0.35	$ 0.43	$ 0.60	$ 0.70	$ 0.70	$ 0.70
2013	**2014**	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**
$ 0.70	$ 0.70	$ 0.70	$ 0.70	$ 0.70	$ 0.70	$ 0.70	$ 0.70

[1] The average rate for 2008 was $0.43. During Fiscal 2008, the rate was increased from $0.35 to $0.50.

CSPDC'S Assessment Rate versus Growth in Per Capita Income for Our District Partners

Nominal Per Capita Personal Income ($) [1,2,3,4]	2010	2011	2012	2013	2014	2015	2016	2017	% Δ '10-'17
Bath, VA	38,570	44,187	49,838	46,714	49,606	54,181	55,608	58,876	52.6%
Highland, VA	32,892	36,917	38,494	39,332	42,101	43,385	42,156	42,873	30.3%
Augusta, Staunton + Waynesboro, VA	35,918	36,659	37,425	37,604	39,346	40,746	41,026	42,436	18.1%
Rockbridge, Buena Vista + Lexington, VA	31,630	32,946	34,221	34,145	36,226	37,663	37,820	38,981	23.2%
Rockingham + Harrisonburg, VA	30,579	31,926	33,082	33,468	35,092	36,655	36,545	38,045	24.4%
Population Weighted Per Capita Income	**$ 33,064**	**$ 34,238**	**$ 35,308**	**$ 35,498**	**$ 37,245**	**$ 38,764**	**$ 38,850**	**$ 40,284**	**21.8%**

ANNUAL RATE
2.86%

CSPDC Per Capita Assessment (at FY End)	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
CSPDC Per Capita Assessment	$ 0.70	$ 0.70	$ 0.70	$ 0.70	$ 0.70	$ 0.70	$ 0.70	$ 0.70	$ 0.70	$ 0.70	$ 0.70
Adjustment Factor [5]											1.218 x
Proforma CSPDC Assessment [6]											**$ 0.85** [6]

We believe that growth in Population Weighted Per Capita Personal Income over a multi-year period is the most objective measure of economic progress in our area.

We also believe that over time this measure accurately reflects the increase in costs that the CSPDC incurrs to serve our District Partners.

Footnotes:

[1] All BEA dollar estimates are in thousands of current (i.e., nominal, not adjusted for inflation) dollars

[2] The BEA used Census Bureau midyear population estimates

[3] Estimates for '10 - '17 reflect county population estimates available as of March '18

[4] Per capital income was computed by the BEA

[5] To account for the 21.8% Δ in Population Weighted Per Capita Personal Income

[6] The Per Capita Assessment if growth in the Assessment Rate kept pace with the growth in Population Weighted Per Capital Income through 2017

Source:

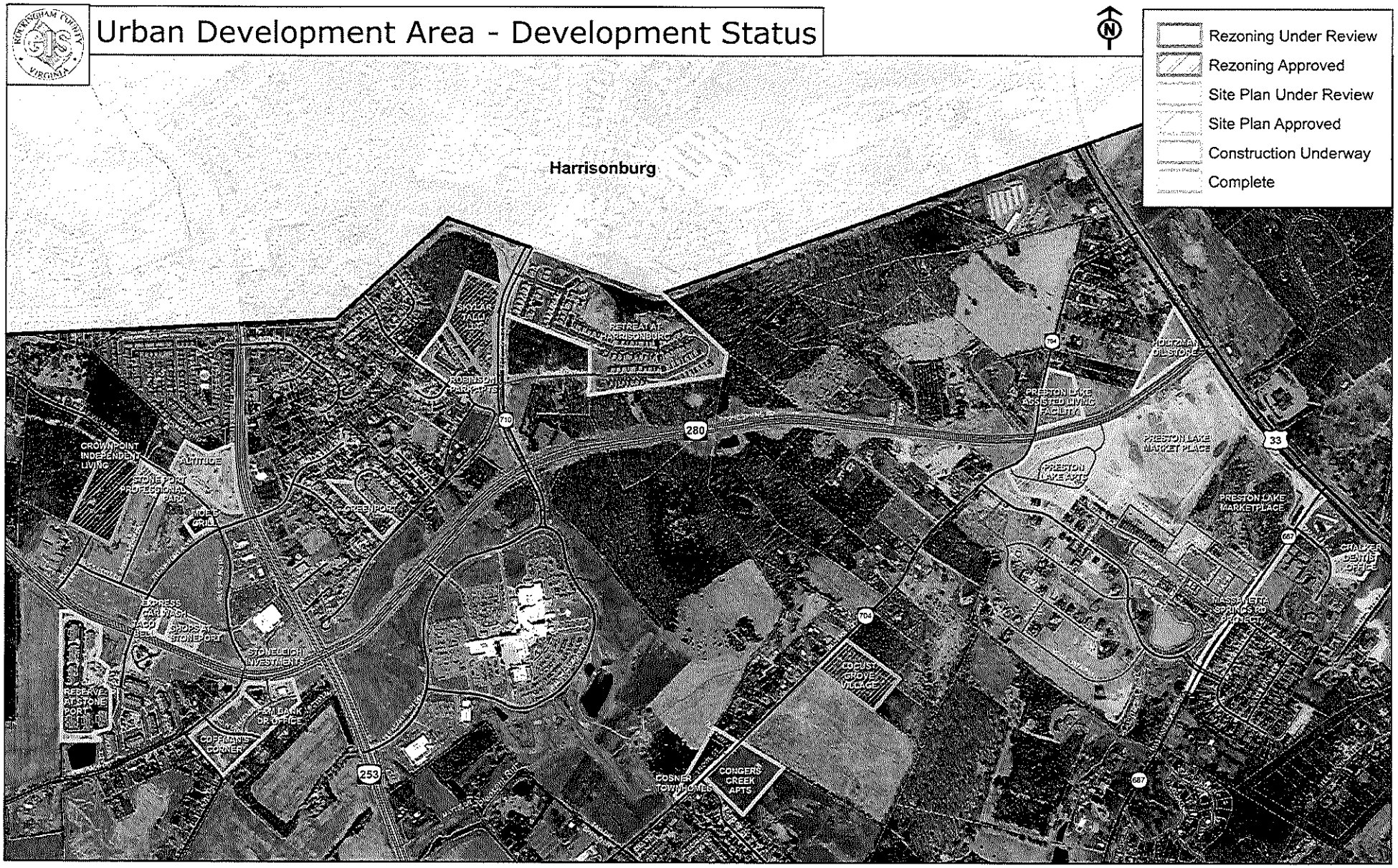
U.S. Department of Commerce, Bureau of Economic Analysis, *Survey of Current Business (January 2019)* - https://apps.bea.gov/scb/toc/0119cont.htm

CSPDC Calculations, expect where noted in the footnotes

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Activity Report - December 2019

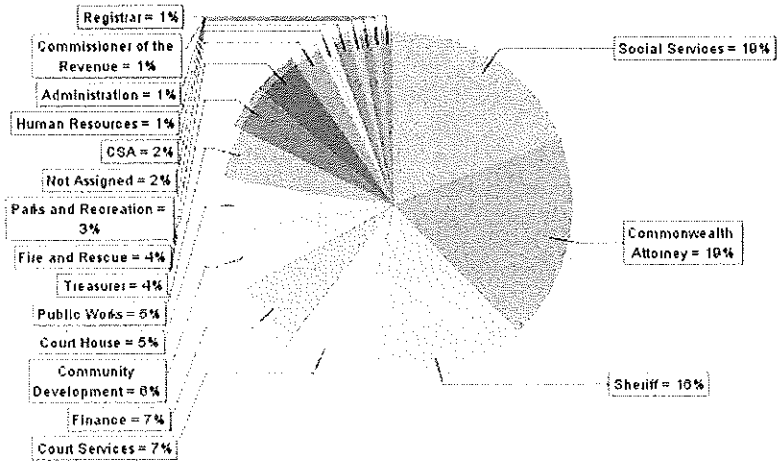
	Permits Issued					Fees Collected				
	Dec-19	Dec-18	One Year Change	Jan-Dec 2019	Jan-Dec 2018	Dec-19	Dec-18	One Year Change	Jan-Dec 2019	Jan-Dec 2018
Building										
Commercial/Industrial	10	12	-16.7 %	202	312	$ 3,131.37	$ 54,344.91	-94.2 %	$ 335,027.46	$ 402,421.47
Manufactured	3	2	50.0 %	38	35	$ 359.55	$ 190.20	89.0 %	$ 4,198.93	$ 3,555.42
Single Family	7	27	-74.1 %	291	414	$ 7,214.34	$ 27,488.69	-73.8 %	$ 300,860.60	$ 383,005.05
Subtotal	20	41		531	761	$ 10,705.26	$ 82,023.80		$ 640,086.99	$ 788,981.94
Plumbing										
	1	4	-75.0 %	20	29	$ 52.79	$ 212.48	-75.2 %	$ 1,381.85	$ 1,586.72
Subtotal	1	4		20	29	$ 52.79	$ 212.48		$ 1,381.85	$ 1,586.72
Electrical										
	18	31	-41.9 %	324	372	$ 1,876.92	$ 2,119.85	-11.5 %	$ 20,125.36	$ 26,331.96
Subtotal	18	31		324	372	$ 1,876.92	$ 2,119.85		$ 20,125.36	$ 26,331.96
Mechanical										
	7	10	-30.0 %	88	95	$ 280.50	$ 409.92	-31.6 %	$ 8,450.69	$ 5,967.94
Subtotal	7	10		88	95	$ 280.50	$ 409.92		$ 8,450.69	$ 5,967.94
Other										
	43	34	26.5 %	732	662	$ 15,283.76	$ 8,338.05	83.3 %	$ 275,386.24	$ 304,266.13
Subtotal	43	34		732	662	$ 15,283.76	$ 8,338.05		$ 275,386.24	$ 304,266.13
Land Use Related										
Erosion and Sediment Permit:	4	2	100.0 %	77	74	$ 10,003.75	$ 3,744.00	167.2 %	$ 167,478.00	$ 204,264.75
Subtotal	4	2		77	74	$ 10,003.75	$ 3,744.00		$ 167,478.00	$ 204,264.75
Total	**93**	**122**		**1772**	**1993**	**$ 38,202.98**	**$ 96,848.10**		**1,112,909.13**	**1,331,399.44**

Urban Development Area - Development Status



Technology Department Staff Report: January 2020

MONTHLY HELP DESK TICKET SUMMARY BY DEPARTMENT
Total Number of Help Desk Tickets for December 2019: 200



PC NETWORK TECHNICIANS					
Project	**Associated Departments**	**Start Date**	**Projected End Date**	**Staff Assigned**	**Update**
Refresh next phase of Social Services computers	Technology/Social Services/VITA	TBD	02/28/2020	Steve Moomaw, Dennis Morris, Doug Pitts, Stephen Strecky	First shipment arrived. Waiting to complete RCAC upgrade to begin
Courtroom addition and changes in JDR and GDC	Technology/Maintenance/ Courts/Supreme Court	04/01/2019	02/01/2020	Michael Bowen/Terri Perry/Steve Moomaw	Moved GDC again after 1st phase. Set up CS office in DC.
Replace Desktop and Laptop computers in County	Technology	10/24/2019	1/17/2020	Steve Moomaw, Dennis Morris, Doug Pitts, Stephen Strecky, Dusty Moyer, Jeff Ferguson, Michael Krone, Michael Bowen	RCSO complete, RCFR and CA's complete. CH and RCAC started
Set up Microsoft Windows Patch Management Server	Technology	09/09/2019	1/17/2020	Michael Bowen, Stephen Strecky, Steve Moomaw	Process is working with new computers.
SYSTEMS ANALYSTS					
Project	**Associated Departments**	**Start Date**	**Projected End Date**	**Staff Assigned**	**Update**
Security Training Campaigns	Technology	06/03/2019	Ongoing	Dusty Moyer	Quarterly campaign complete. Much more complex, with lower success, but added awareness.

Network Security Testing and Review for ELECT	Technology/Registrar	11/01/2019	12/31/2019	Dusty Moyer, Michael Bowen	Required information submitted to ELECT
Implement Shentel WAN Backbone	Technology	7/26/2018	TBD	Michael Bowen, Terri Perry, Dusty Moyer	Adding new fire station to network, complete Three Springs installation, Wireless Access Points Judy Lane Fire Station
Replace three older hosts in virtual environment	Technology	10/30/2019	12/31/2019	Michael Bowen, Dusty Moyer, Jeff Ferguson, Michael Krone	Three new hosts replaced. Still working through a few networking hiccups.
IMPLEMENTATIONS					
Project	**Associated Departments**	**Start Date**	**Projected End Date**	**Staff Assigned**	**Update**
Munis Cashiering/ Accounts Receivable/ General Billing/Appraisal/ COR Systems	Technology/Finance/ Commissioner of Revenue/Treasurer/Public Works	2/1/2016	TBD	Pam Southerly, Kerri Fitzgerald, Terri Perry	Issues with required programming changes per County contract, delayed going live with taxation until 2020.
CAD-DMS (Tyler New World) Implementation	Technology/RCFR/RCSO/ HRECC	04/01/2018	1/31/2020	Michael Bowen, Michael Krone, Dusty Moyer, Terri Perry	Data governance for security access control needs to be discussed. Contacted Chief Bennett. Installation of RCFR additional equipment in progress.
GIS upgrade	Technology/GIS/ Community Development	TBD	TBD	Michael Bowen, Michael Krone, Terri Perry	Team meeting in January
CityView Upgrade	Technology/Community Development	TBD	TBD	Michael Krone, Michael Bowen, Terri Perry, Kerri Fitzgerald	Team meeting in January
Perceptive Software Implementation Continuation	Technology/RCAC	08/01/2019	TBD	Terri Perry, Jeff Ferguson, Pam Southerly, Michael Bowen	Project kickoff scheduled for January 7 – 8. Pre-kickoff information to be sent by 12/6.

Respectfully submitted,

Terri M. Perry
Director of Technology

Fire and Rescue **STAFF REPORT** **Agenda Item #**

January 2020

1. **Personnel**

The department currently has 2 open positions.

2. **Fire & Life Safety: Battalion Chief Joe Mullens, Lt. Todd Spitzer, Lt. Karen Will, Tyler Jessup, and Wes Shifflett**

A. Plan Review
   1. Total Number of Plans Reviewed – 5

B. Consultation
   1. Total Number of Consultations - 4

C. Inspections
   1. Total Number of Inspections – 36
   2. Inspection Fees Generated - $520.00

D. Operational Permits Issued
   1. Operational Permits Issued - 291
   2. Permit Fees Generated – $0.00

E. Incident Responses and Disposition
   1. Structure Fires - 11
   2. Vehicle Fires - 3
   3. Brush/Grass Fires - 0
   4. Open Burning -7
      a. Notice of Violation - 3
      b. Summons - 0
   5. Bomb Threats - 0
   6. Fireworks Violations - 0
   7. Fire Lane
      a. Tickets Issued – 0
      b. Warnings Issued - 0
   8. Explosives/Explosions - 0
   9. Follow-up Investigation - 0
      a. Total Number of Hours – 0

F. Public Education
   1. Prevention Programs
      a. Smoke Alarms Installed – 8
      b. Hearing Impaired Smoke Alarms Installed – 1
      c. Fire Extinguisher Presentations – 0
         i. Number of Participants - 0
      d. School Program Presentations - 8
         i. Number of Participants - 85
      e. Other Program Presentations - 0
         i. Number of Participants - 0
      f. Presentation of Education Materials Events - 0
         i. Number of Participants – 0

G. Training
   1. Fire Inspector Related Training
      a. Number of Participants - 0
      b. Number of Contact Hours – 0
   2. Fire Investigator Related Training
      a. Number of Participants – 5
      b. Number of Contact Hours – 3
   3. Public Education Related Training
      a. Number of Participants - 0
      b. Number of Contact Hours – 0

H. Staff Report Comments/Notes:
   1. Division Chief Mullens and Assistant Fire Marshal Jessup attended the board meeting at Spotswood High School to ensure compliance with the Rockingham County Fire Prevention Code.

3. Training Division: Deputy Chief Jeff Michael, BC Steve Powell, Lt. Dustin Gladwell, and Lt. Stephanie Brown

A. Continued Education Training Provided
   1. EMS
      a. Infectious Control Annual Update
         i. Number of Participants – 74
      b. Quarterly Training
   2. Fire
      a. Quarterly Skill Straining for entire department over 3 days

B. Meetings and Training
   1. EMS
      a. Instructor 2 Certification
      b. Staff Meetings
      c. Training Meetings
   2. Fire
      a. Attended multiple training staff and regional training meetings
      b. Attended VDEM Hazmat Chemistry Class
      c. Working towards Hazmat Specialist certification
      d. Attended Fire Marshal recertification hours
      e. Attended online CE hours for Fire Marshal
   3. MTC
      a. Instructor 2 Certification
      b. Faculty Meeting
      c. Ladder Skills training

C. Certification Training
   1. Fire
      a. Fire Academy
         i. Number of Participants – 30
      b. Firefighter I for MTC
         i. Number of Participants – 12 - 18
   2. EMS
      a. CPR and First Aid for Department of Parks and Rec
         i. Number of Participants - 18

D. Other Activities

   1. EMS
      a. Scheduled an Advanced EMT program scheduled to begin in January 2020
      b. Ran EMS Calls
      c. Schedule a speaker (Bob Page) to do a presentation in February 2020
      d. Scheduled ACLS for 15 RCFR medics
   2. Fire
      a. Worked on scheduling Hazmat training or all stations in the month of January
      b. Scheduled the following upcoming training programs:
         i. Active Shooter Training - February
         ii. Mayday Firefighter Down – February
         iii. Vehicle Extrication – March
         iv. Working on scheduling a live fire training for all career staff

3. MTC
    a. CE Training on Centrelearn
    b. EMS Educator Recertification Testt

Respectfully submitted by,

Chief Jeremy C. Holloway

Rockingham County
PARKS & RECREATION

STAFF REPORT **Agenda Item#**
January 2, 2020

1. RECREATION

A. Personnel: Nothing to report

B. Rockingham Park at the Crossroads:

1. The bid for construction of the walking trail at Rockingham Park has been completed and approved by DCR. Presently, we are waiting for DCR to complete payment to the engineer for the planning process with grant funds. Once this happens, we can begin the bid process.

2. The plans for the safety netting at the clover leaf have been received. We have a meeting planned with the engineer to evaluate the plans prior to bidding the installation. We are still planning on a spring install.

C. General Recreation

1. Girls' basketball season ended with our 'Recreation Department Basketball Bash" at EMU on Saturday December 14th. We played 13 games (every team playing once) at EMU.

2. Boys' basketball season started with our first ever Recreation Department kick off clinic at EMU on Saturday December 28th. Recreation Department personnel, along with volunteers and coaches, ran the clinic which lasted from 9am-3:30pm. A second clinic is planned for Sunday afternoon/evening January 5th and the regular season will begin the following day (Monday).

2. After School

1. Our after school programs continue to prosper during the 2019-20 school year. We have 500 kids registered and many locations are at capacity.

3. Rentals

- Bergton Community Center, 4 Rentals
- Singers Glen Community Center, 23 Rentals
- PDCC paying rentals, 47 Rentals
- PDCC non-paying rentals, 24 Rentals

4. General Programs and # of participants for September:

Program Numbers
December 2019

General Programs

Description	Beg Date	End Date	Total
Family Ornament Workshop	12/4/2019	12/4/2019	0
Instant Pot: Beginner	12/5/2019	12/5/2019	12
Holiday Chalk Crafting	12/5/2019	12/5/2019	0
Christmas Cookie Decorating	12/7/2019	12/7/2019	11
Intro to Blacksmithing	12/7/2019	12/7/2019	4
Holiday Chalk Crafting	12/7/2019	12/7/2019	0
Women's Self Defense	12/10/2019	12/12/2019	27
Bow Building	12/10/2019	12/10/2019	11
Teen Dating Safety	12/10/2019	12/10/2019	2
Drug Awareness & Safety	12/10/2019	12/10/2019	3
Fraud & Scam Prevention	12/12/2019	12/12/2019	8
Social Media Safety	12/12/2019	12/12/2019	8
Family Ornament Workshop	12/14/2019	12/14/2019	0
Marvelously Messy	12/14/2019	12/14/2019	8
Concealed Handgun	12/14/2019	12/14/2019	14
		Total Participants:	**108**

Special Events

Description	Beg Date	End Date	Total
Breakfast with Santa	12/7/2019	12/7/2019	40
Senior Christmas Luncheon	12/14/2019	12/14/2019	37
Jr. NBA Skills Challenge	12/21/2019	12/21/2019	17
		Total Participants:	**94**

Childcare

Description			Total
2019-20 Afterschool	As of 12/4	**Total Participants:**	**485**
2019-20 Afterschool Punch Passes			**33**

**Cub Run, John Wayland, McGaheysville, Peak View, Mountain View, John C Myers are FULL.

**Montevideo and Wilbur Pence Middle School Programs will remain open

Trips

Description	Beg Date	End Date	Total
Miracle of Christmas	12/6/2019	12/6/2019	51
Christmas in New York City	12/15/2019	12/17/2019	52
Tysons Corner	12/10/2019	12/10/2019	11
Lewis Ginter Gardenfest of Lights	12/15/2019	12/15/2019	13

Zoolights		12/7/2019	12/7/2019	13
			Total Participants:	**140**

Youth Athletics

Description	Beg Date	End Date	Total
		Total Participants:	**0**

Adult Athletics

Description	Beg Date	End Date	Total
		Total Teams:	**0**

5. Questions/News/Concerns/Requests for the Board of Supervisor's:

1. The Cross Keys and Keezletown Ruritans are interested in a memorial for veterans and first responders which would be located at the base of the flags at Rockingham Park. Mr. Will Snuffin, who represents the Ruritans, is going to take few minutes to share the vision.

Court Services Unit **STAFF REPORT** **January 8, 2020**

1. Personnel

A. Positions filled

Director
Administrative Assistant
Senior Pretrial Officer
Pretrial Officer (two full-time/one full-time not filled)
Pretrial Evaluator
Probation Officer (two full-time/one part-time)
Litter Control Supervisor (part-time)
CIT Coordinator
Drug Court Coordinator (vacant)

2. Litter Control Program

A. Bags Collected for December 2019 – 155

Roads/areas cleaned – Pleasant Valley Road, Rt 42S, Administration Center, Rockingham County Landfill, Rockingham Park

3. Community Corrections

A. Probation

1) Caseload for December 2019

Misdemeanor caseload – 378
Felony caseload – 10

B. Pretrial

1) Caseload for December 2019

Misdemeanor caseload – 52
Felony caseload – 180

4. CIT – Crisis Intervention Team

A. The CIT Taskforce meets on a monthly basis. The next CIT Training is February 2020.

5. RE-Entry Council

A. The sub-committees meet once per month to discuss ways to integrate offenders back into our community. The next quarterly meeting is scheduled for January 9, 2020 @ 3:00pm in the Rockingham County Administration Center, 20 E. Gay St, Suite C.

OA19-255

ORDINANCE AMENDING
SECTION 17-607
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA

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

That Section 17-607. Supplemental standards for certain land uses be and hereby is amended as follows:

Section 17-607. Supplemental standards for certain land uses.

Dwelling, accessory.

A. Any enclosed area used for the accessory dwelling shall not exceed ~~twelve hundred (1200)~~ fifteen hundred (1500) square feet.

B. Only one accessory dwelling shall be permitted per parcel.

C. In addition to A and B above, in the R-1, R-2, PSF, MXU, R-4, and R-5 zoning districts, all accessory dwellings shall have direct vehicular access to a public or private street.

All other supplemental standards are re-affirmed.

This ordinance shall be effective from the __ day of _____, 2020.

Adopted the __ day of _____, 2020.

	Aye	Nay	Abstain	Absent
District 1				

Sallie Wolfe-Garrison
District 2
Supervisor Chandler
District 3
Supervisor Kyger
District 4
Supervisor Breeden
District 5

_____
Chairman of the Board of Supervisors

ATTESTE:

_____
Clerk

STAFF RECOMMENDATION: APPROVAL OCTOBER 23, 2019

In working with people who want accessory dwellings and in discussions with some of the manufactured home/modular home dealers, it appears that it is becoming more difficult to find this type home as small as 1200 square feet unless it is a single-wide or the smallest double-wide or modular. In information obtained and in talking with the public wanting accessory dwellings, the normal request is usually for around 1500 square feet. Therefore, staff's recommendation is for approval of an amendment increasing the maximum amount of enclosed area of an accessory dwelling to no more than 1500 square feet.

PLANNING COMMISSION RECOMMENDATION APPROVAL DECEMBER 3, 2019

Concurring with staff's recommendation, with a vote of 5 to 0, the Planning Commission recommended approval.

THIS REQUEST IS MADE BY CLARK AND BRADSHAW

OA19-256

ORDINANCE AMENDING
SECTION 17-607 AND
TABLE 17-606
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA

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

That Section 17-607. Supplemental standards for certain land uses be and hereby is amended as follows:

Section 17-607. Supplemental standards for certain land uses

ADD:

Convenience store:

In the A-2, and RV zoning districts:

(1) Building shall be limited to no more than four thousand (4,000) square feet, and
(2) Customer seating shall comprise no more than twenty (20%) percent of the convenience store square footage.

All other supplemental standards are re-affirmed

That Table 17-606. Land use and zoning table be amended as follows:

Table 17-606. Land Use and Zoning Table

P: Permitted; SU: Special Use; A: Permitted Accessory; Asterisk *: Supplemental Standards Apply	A-1	A-2	RV	RR-1	R-1	R-2	R-3	PSF	PMF	PG	R-4	R-5	MH-1	MHP	MXU	B-1	B-2	PCD	PMR	I-1	PID	S-1
Convenience store		SU*	P*								P	P	SU		P	P	P	P	P	P	P	

For convenience store in the A-2 zoning district, add an asterisk after the SU – will read SU* (Special use with supplemental standards).

For convenience store in the RV zoning district, add an asterisk after the P -- will read P* (Permitted with supplemental standards)

This ordinance shall be effective from the __ day of _____, 2020

Adopted the __ day of _____, 2020.

	Aye	Nay	Abstain	Absent
District 1 Sallie Wolfe-Garrison				
District 2 Supervisor Chandler				
District 3 Supervisor Kyger				
District 4 Supervisor Breeden				
District 5				

_____
Chairman of the Board of Supervisors

ATTESTE:

_____
Clerk

STAFF RECOMMENDATION: APPROVAL OCTOBER 25, 2019

With convenience stores being constructed in more rural, outlying areas of the County, the request is being made to allow a sit-down eating area for patrons. Staff and the applicant worked together on this, and it was felt that we do not want large restaurants in the rural zoning districts, but that there may be some merit to having a small area for people to sit and eat. In doing so, it was also discussed that there should be a size limit on the size of the building. The amendment presented tonight is what staff and the applicant felt would work for rural communities. Staff recommends approval.

PLANNING COMMISSION RECOMMENDATION APPROVAL DECEMBER 3, 2019

Concurring with staff's recommendation, with a vote of 5 to 0, the Planning Commission recommended approval.

OA19-267

ORDINANCE
SECTION 17-201 AND SECTION 17-607
OF THE CODE OF ORDINANCES
OF
ROCKINGHAM COUNTY, VIRGINIA

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

That Section 17-201. Definitions generally. be and hereby is amended as follows

Section 17-201. Definitions general.

Storage container. A container specifically manufactured for use in shipping, moving, or storage of products or freight and which may be used for storage in compliance with the requirements of this chapter. Shall not include ~~semi-trailers,~~ manufactured homes~~,~~ or any portion of a motor vehicle.

All other definitions are reaffirmed.

That Section 17-607. Supplemental standards for certain land uses be and hereby is amended as follows:'

Storage containers.

A. Storage containers shall be accessory to the approved primary use on the same lot; shall meet accessory building setback; and shall not be stacked;

B. Exterior of the storage container shall be maintained structurally intact.

~~D~~C. In the A-1, A-2, and RV zoning districts on parcels of less than two (2) acres; and in the R-1, R-2, R-3, PSF, PMF, PG, R-4, R-5, MH-1, and MHP zoning districts, a storage container shall be allowed to be located on the property for no more than sixty (60) days unless an extension of time is granted by the Zoning Administrator. Extensions shall be for no more than thirty (30) day

periods and shall be determined case by case, based on the justifications for the needed extension.

~~C~~D. In the A-1, A-2, and RV zoning districts, on parcels of two (2) or more acres,

1 O~~o~~ne storage container shall be permitted for every two acres~~.~~, not to exceed four storage containers;

Acreage	# of storage containers
2.0 - 3.9	1
4.0 - 5.9	2
6.0 - 7.9	3
8.0 or more	4

2. Semi-trailers may be used as storage containers only if the wheels and axles have been removed, and

3. If used for a business or other use that requires a special use permit, the storage container shall also require a special use permit.

All other supplemental standards are re-affirmed.

This ordinance shall be effective from the __ day of _____, 2020.

Adopted the __ day of _____, 2020.

	Aye	Nay	Abstain	Absent
Supervisor Trumbo District 1				
Supervisor Wolfe-Garrison District 2				
Supervisor Chandler District 3				
Supervisor Kyger District 4				
Supervisor Breeden District 5				

_____
Chairman of the Board of Supervisors

ATTESTE:

_____
Clerk

STAFF RECOMMENDATION APPROVAL OCTOBER 29, 2019

In recent years the County has had to deal with semi-trailers being used by the agricultural community to store grain, tools, etc. Several businesses have also been found to be using them to store products for sale in the agricultural districts... In reviewing this matter, staff determined this may be an appropriate way to put some of the old semi-trailers to use on larger parcels of agricultural land and larger RV parcels of land. Staff was of the opinion that there should be a stipulation that the wheels and axles had to be removed from the semi-trailers so they would no longer be considered motor vehicles.
Staff recommends approval.

PLANNING COMMISSION RECOMMENDATION APPROVAL DECEMBER 3, 2019

Concurring with staff's recommendation, with a vote of 5 to 0, the Planning Commission recommended approval.

ROCKINGHAM COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

REZONING CASE REPORT REZ19-265

Applicant	**Whitesel Brothers, Inc. - James River Equipment**
Address/Location	**West side of Garbers Church Road (Route 910) approximately 900' S of Erickson Avenue.**
Tax Map#	Portion of 107-(A)- L201
Acreage	12.04-acre portion of a 168.08-acre parcel
Present Zoning	A-2 - General Agricultural
Proposed Zoning	B-1C - General Business with Conditions
Election District	2
Comprehensive Plan	Commercial
Staff Recommendation	Approval, November 22, 2019
Planning Commission	**Approval, December 3, 2019**
Board of Supervisors	

GENERAL INFORMATION

OVERVIEW/BACKGROUND:

The applicant has been in business selling and servicing agricultural machinery since 1999 on the B-1-zoned parcel adjoining this request. In recent years, the applicant has added sales and servicing of construction equipment which is not permitted in the A-2 zoning district. (Rockingham County Code Section 17-607, *supplemental standards,* allows only agricultural machinery to be sold or repaired in agricultural zoning districts.) Rezoning this property and vacating the property lines would allow for the expansion of the existing business.

PROFFERS:

The applicant has proffered that the only use on the property will be an expansion of the existing equipment sales and service business located on the adjoining parcel.

STAFF AND AGENCY ANALYSIS

ENVIRONMENTAL SERVICES

This site is partially in the Cooks Creek watershed. There are no known surface waters on the property. There is no mapped floodplain. The site is underlain by carbonate rock material, but there are no known sinkholes. Site soils are in Hydrologic Soil Group C. Group C soils are defined as having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

PLANNING

The property is shown as Commercial in the Comprehensive Plan. The Comprehensive Plan identifies Commercial Areas as being *"comprised of existing community retail, professional offices, and retail/office mixed use areas, as well as planned expansions of such areas along the County's primary roads.*

1. Section II--C-3: Policies for Integrating Land Use, Transportation & Utilities:
   The designated Urban Growth Areas...are areas that are planned for public infrastructure expansion and urban growth.

2. Section: II-B-Goals:
   Policy #4.1.5 Retain and expand the existing industries and businesses now operating in the County.

The rezoning request is compatible with Comprehensive Plan goals through the targeting of commercial development envisioned along primary roads, especially since the parcel adjoins existing B-1 zoned properties.

ZONING

From a zoning standpoint, this request is a logical expansion of an existing B-1 zoning district.

B-1 General Business District Code Requirements

Sec. 17-310.01. - Definition.

The B-1 district provides a wide range of retail, wholesale, and service businesses to the public at convenient, concentrated locations.

Sec. 17-310.02. - Requirements.

(a) Any new B-1 district created after October 1, 2014, shall be located in urban growth areas designated in the comprehensive plan or any other plan adopted by the county.

(b) Sites shall be designed and built to ensure safe pedestrian and vehicular access internal to the site and to adjoining properties.

(c) Sites with adequate frontage and depth shall be provided to prevent sprawling strip commercial development and to permit controlled access to public streets.

(d) To maintain traffic safety and flow along the fronting public streets, interparcel access shall be provided.

Sec. 17-310.03. - Minimum area.

No minimum acreage shall be required for the B-1 district.

Sec. 17-310.04. - Water and sewer.

(a) All uses requiring water service shall be served by public water where available.
(b) All uses requiring sewage treatment shall be served by public sewer where available.

BUILDING OFFICIAL
No comments received.

FIRE AND RESCUE
The property is located within the Hose Company #4 Fire Department and Harrisonburg Volunteer Rescue Squad's respective first due area. The Department of Fire and Rescue has no concerns with this rezoning request.

VIRGINIA DEPARTMENT OF HEALTH
No comments from the Health Department; public utilities to serve.

VIRGINIA DEPARTMENT OF TRANSPORTATION

Roadway Information:

Garbers Church Road (Rt. 910)
Functional Class.: Major Collector
Geometry: 2 Lane Highway
Traffic Count: 3,000 VPD (2018)
Posted Speed: Un-Posted (55 MPH)

Erickson Avenue (UR 4118)
Functional Class.: Major Collector
Geometry: 2 Lane Highway
Traffic Count: 11,000 VPD (2018)
Posted Speed: 35 MPH

VDOT Comments:
1. This rezoning with associated proffers should not have a significant impact to the roadway network and would not warrant a Chapter 527 Traffic Impact Analysis.
2. Any site plan submitted would need to evaluate entrance adequacy and determine if entrance improvements would be warranted.

CITY OF HARRISONBURG
Water and sewer are supplied by the City of Harrisonburg. The City Department of Public Works has expressed concerns if the expansion would include a significant increase in water usage and, as of the date of this report, is working with the applicant to determine the potential water usage impact.

TOWN OF DAYTON
No comments received.

STAFF RECOMMENDATION — Approval, November 22, 2019
The property in the request is currently zoned A-2, General Agricultural but is shown as Commercial in the Comprehensive Plan. In order for the existing business to expand, a rezoning of this parcel is required. This rezoning request would conform to the Comprehensive Plan and would allow for the expansion of a business providing machinery and service to local agricultural and construction businesses. Staff recommends approval.

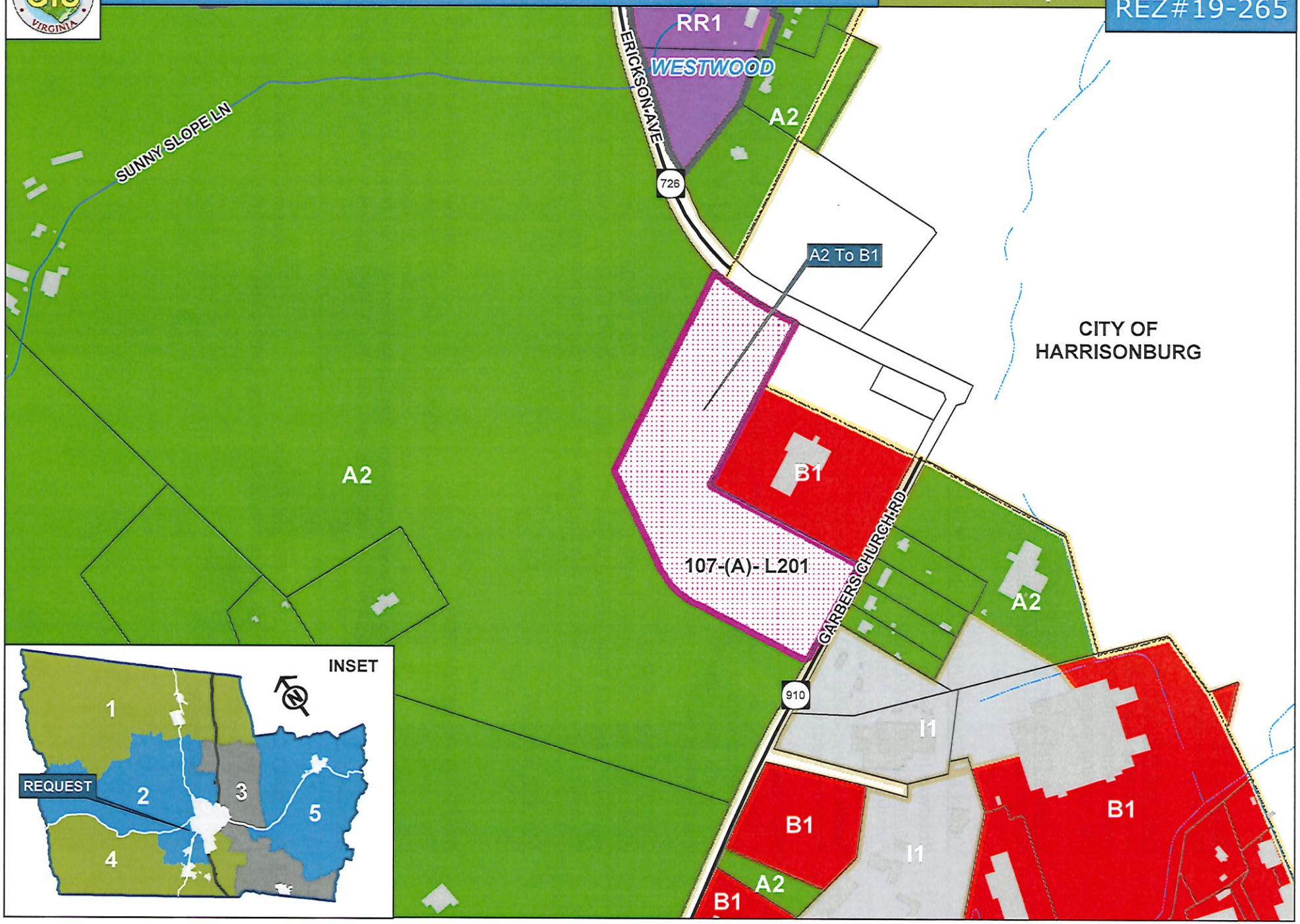
PLANNING COMMISSION RECOMMENDATION — Approval, December 3, 2019
Concurring with staff's findings and recommendation, the Commission recommended approval of the request as submitted on a 5-0 vote.

BOARD DECISION

Whitesel Brothers, Inc. Rezoning Request

PC Hearing Date: 12/3/2019

REZ#19-265



$825

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ROCKINGHAM COUNTY REZONING APPLICATION

Prior to submitting this application, the applicant must have a preliminary meeting with a planner in the Department of Community Development. No application can be accepted until this meeting is held. Call 540-564-3033 for an appointment.

APPLICANT'S CHECKLIST:

____ **Complete this application and sign the front and back.**

____ **Enclose a boundary map of the property, showing a metes and bounds description of the area to be rezoned. The map cannot be larger than 11" x 17".**

FOR OFFICE USE ONLY

Applicant Meeting Date:	Planner: KG	REZ 19 - 265
Application Fee: $ 825.00	Receipt #	Date Received: 10/28/19
Taxes Paid:	Staking Given:	
Deadline Date:	PC Hearing Date: 12/3/19	BOS Hearing Date: 1/8/20

APPLICANT: Whitesel Brothers, Inc.

Check if: Owner: ____ Contract Purchaser ✓

MAILING ADDRESS: 1332 Garbers Church Rd., Harrisonburg, VA 22801 EMAIL: jgermroth@jamesriverequipment.com

CONTACT PERSON: Jeff Germroth | Ed Blackwell DAYTIME PHONE: 540-421-9448 | 432-9555

Send notices to you? Yes If so, include postal and email address: Same as above

LOCATION: (N S E [W]) of (Road Name) Garbers Church Rd. (Route #) 910

approximately 900 miles [feet] (N [S] E W) of (Road Name) Erickson Ave.

(Route #) 726 in Election District # 2.

TAX MAP(S) #: 107-A-201 PRESENT USE: Crop Land

NUMBER OF ACRES IN REZONING REQUEST: 12.038 FROM A-2 ZONING TO B-1

INDICATE METHOD OF:

Water Supply	Sewage Disposal
County Water	County Sewer
[City Water *] (Existing)	[City Sewer *] (Existing)
Community System	Community System
Well	Septic System
Cistern	Alternative (Specify)____

* If City water and/or sewer are selected, applicant must have full approval by City and County prior to submitting this rezoning application.

Virginia law permits the landowner to offer conditions (proffers) governing the use of the property. The conditions (proffers) would add to, or modify, the use of the property that the landowner is requesting to be rezoned. These conditions (proffers) must be presented to the Community Development Office in letter form.

DocuSigned by: Charles Wampler 10/21/2019 | 1:48 PM EDT Whitesel Bros. Inc. by: [signature] Sec. Treas.

Signature of Landowner Signature of Applicant or Agent

ADJOINING LANDOWNERS:
Provide the names and complete mailing addresses of all adjoining landowners, including landowners across any road, railroad, stream, or river. Also include any adjoining landowners within the City of Harrisonburg, a town, or in another county. Attach additional sheets, if necessary.

Names and addresses of adjoining County landowners are available at http://rockingham.gisbrowser.com and in the Real Estate and Land Use Office located in the Rockingham County Administration Center.

Remember: If the property in this rezoning request adjoins the City of Harrisonburg, a town, or another county, it is your responsibility to supply this office with the names and current addresses of the adjoining properties within the City, town, or other county.

NAME	ADDRESS
SEE ATTACHED DOCUMENT	

ADJOINING PROPERTY OWNER VERIFICATION

AS APPLICANT FOR THIS REZONING, I Jeff S. Germroth
Applicant *(PLEASE PRINT NAME)*

hereby acknowledge that I have faithfully and correctly provided names and complete mailing addresses of all my adjoining property owners and those directly across the street or road. I understand that failure to do so will leave me liable for additional costs for re-advertising and that my request could be delayed until proper notification has been given to all adjoining property owners.

Signature of Applicant _____ Date: 10-28-2019

It is proposed to rezone 12.038A, a portion of TM# 107-A-201, from A-2 to B-1. The parcel is located between Garbers Church Rd. and Erickson Avenue and raps around property owned by Whitesel Brothers, Inc. but leased to James River Equipment. The comprehensive Plan designates the use as commercial. The new area will allow James River Equipment to expand its business.

AFFIDAVIT

I, Kelly Getz, affirm that I have mailed notices to the following persons for Planning Application PLREZC2019-265,Whitesel Brothers, Inc. - James River Equipment.

Affidavit: _____

Signed and acknowledged by Kelly Getz in the County of Rockingham, Virginia, on the 14 day of November, 2019, in the presence of the undersigned witness.

Witness: _____

BOURNE DONALD W JR & THELMA F
1401 GARBERS CHURCH RD
ROCKINGHAM VA 22801

LAHMAN FLOYD E & LILLIE A
1419 GARBERS CHURCH RD
ROCKINGHAM VA 22801

LEAP CHAD M
1427 GARBERS CHURCH RD
ROCKINGHAM VA 22801

RHODES JAMES D & LEANNA S
1469 GARBERS CHURCH RD
ROCKINGHAM VA 22801

SELECT GENETICS LLC
P O BOX 753
WILLMAR MN 56201

D & N LLC
150 W MOSBY RD
HARRISONBURG VA 22801

SMITH MARGARET WAMPLER
2674 GRACE CHAPEL RD
ROCKINGHAM VA 22801

SMITH MELINDA W REVOCABLE LIVING TRUST
26692 WESTHAVEN DR
LAGUNA HILLS CA 92653

MELBY 1991 REVOCABLE TRUST
12774 INDIAN TRAIL RD
BROADWAY VA 22815

SUNNY SLOPE LLC
4716 JOHN SCOTT DR
LYNCHBURG VA 24503

PARTNERS DEVELOPMENT INC
PO BOX 2098
HARRISONBURG VA 22801

EVICK CAROLE J
3365 WHITE OAK DR
ROCKINGHAM VA 22801

WITHERS JASON C & KRISTA B
3345 WHITE OAK DR
ROCKINGHAM VA 22801

MARTIN SHIRLEY E
3325 WHITE OAK DR
ROCKINGHAM VA 22801

ZUCCONI JOHN M & SUSAN W
3245 WHITE OAK DR
ROCKINGHAM VA 22801

TEETS GORDON E & BRENDA L
3225 WHITE OAK DR
ROCKINGHAM VA 22801

URSO DAVID J & CARRIE T
3205 WHITE OAK DR
ROCKINGHAM VA 22801

WOOLMAN MICHAEL H & MARY B
3206 WHITE OAK DR
ROCKINGHAM VA 22801

HOSTETTER DARREL M & SHERILL L
1055 QUINCE DR
ROCKINGHAM VA 22801

RANDOLPH GLENN D & CARLA R
3305 NUTMEG CT
ROCKINGHAM VA 22801

HUFFMAN DAVID C & SUSAN H
3215 NUTMEG CT
ROCKINGHAM VA 22801

EYE JOSHUA L & ELIZABETH H
3205 NUTMEG CT
ROCKINGHAM VA 22801

MILLER BOBBY E & BEVERLY S MILLER
3195 NUTMEG CT
ROCKINGHAM VA 22801

SANDERS HAROLD JR & CAROLINE
3175 NUTMEG CT
ROCKINGHAM VA 22801

BIRD JAMES S & JOAN P
3135 NUTMEG CT
ROCKINGHAM VA 22801

HALTERMAN BERNARD G & SUSAN L
3115 NUTMEG CT
ROCKINGHAM VA 22801

REDMOND BETTY S
3107 NUTMEG CT
ROCKINGHAM VA 22801

EARLY DENNIS N REVOCABLE TRUST &
YVONNE H EARLY FAMILY TRUST
3075 NUTMEG CT
ROCKINGHAM VA 22801

WHITE LOUISE A
3055 NUTMEG CT
ROCKINGHAM VA 22801

ROBERTSON JOHN W
3035 NUTMEG CT
ROCKINGHAM VA 22801

HIRTRITER JERRY W JR & VALERIE R
3015 NUTMEG CT
ROCKINGHAM VA 22801

GOOD ALAN R & ORIANA R
2995 NUTMEG CT
ROCKINGHAM VA 22801

FREEMAN RANDALL K & CHRISTINE E
2975 NUTMEG CT
ROCKINGHAM VA 22801

MOYERS CHARLES R JR & HARRIET B
2955 NUTMEG CT
ROCKINGHAM VA 22801

MITCH THOMAS & SARAH
2935 NUTMEG CT
ROCKINGHAM VA 22801

HINER C ALAN
2915 NUTMEG CT
ROCKINGHAM VA 22801

MESSERLEY JAMES G JR & WANDA J
2875 NUTMEG CT
ROCKINGHAM VA 22801

SMITH RONALD L & MARY M
2825 NUTMEG CT
ROCKINGHAM VA 22801

WEIRICH FAMILY TRUST
1100 KILN DR
ROCKINGHAM VA 22801

MCINTYRE JAMES R JR & LINDA T
1150 KILN DR
ROCKINGHAM VA 22801

ANDERSON TERRANCE W &PETRA K HUFFMAN
1200 KILN DR
ROCKINGHAM VA 22801

KARAGEORGE PETE T & ALEXANDRA
1069 ERICKSON AVE
ROCKINGHAM VA 22801

NOTES

1) DATUM AS SHOWN HEREON IS ACCORDING TO RECORDED INFORMATION AND A CURRENT FIELD SURVEY.

2) TAX MAP DESIGNATIONS ARE SHOWN HEREON.

3) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, AND DOES NOT REFLECT ALL ENCUMBRANCES.

4) BEARINGS ARE ROTATED TO WGS 84.

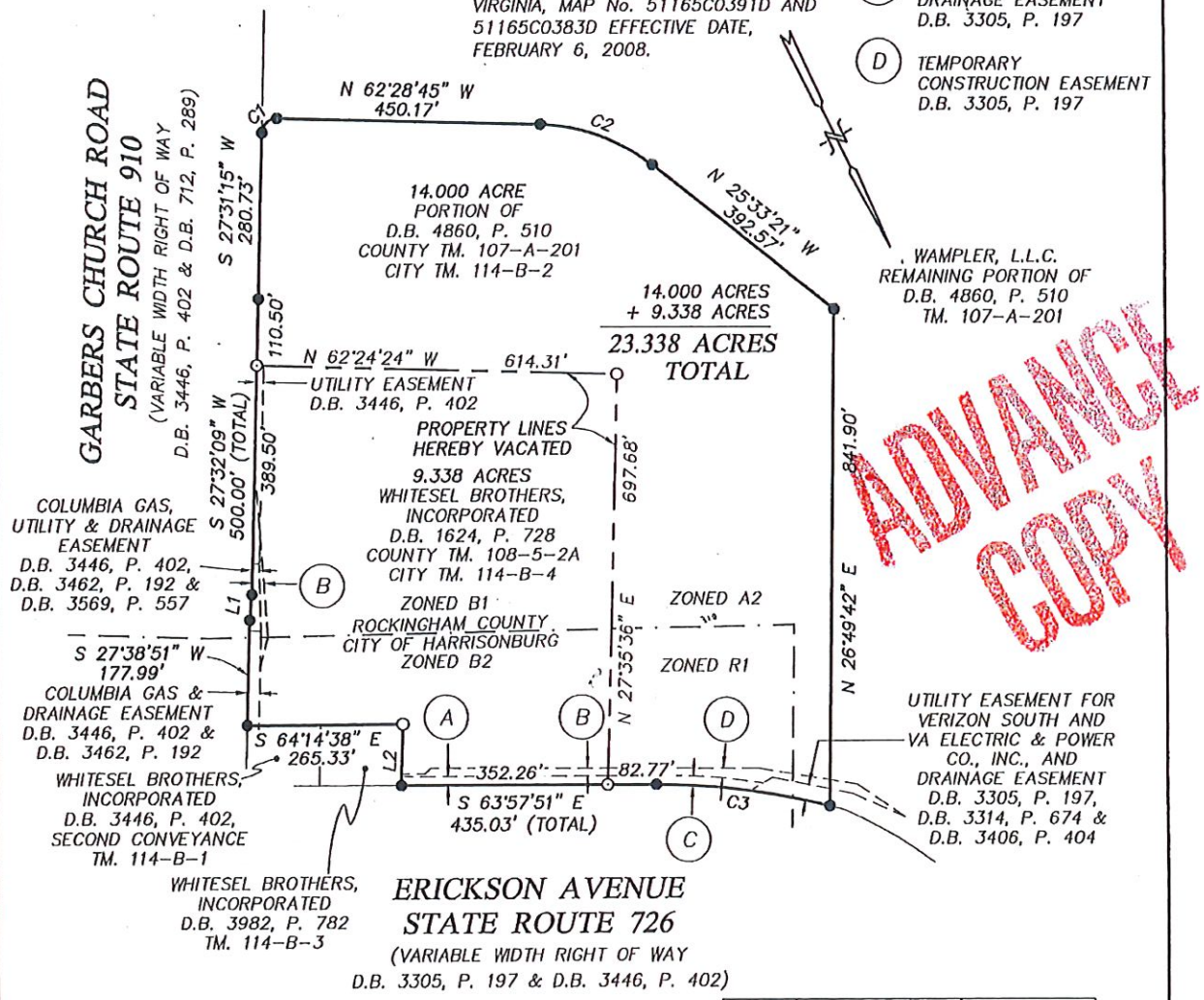
5) ZONE R1 AREA = 1.962 AC.
ZONE B2 AREA = 3.020 AC.
ZONE B1 AREA = 6.318 AC.
ZONE A2 AREA = 12.038 AC.

6) ZONE R1 SETBACKS: FRONT – 30', SIDE – 10', REAR – 25'
ZONE B2 SETBACKS: FRONT – 30', SIDE – 10' (30' ABUTTING RESIDENTIAL) REAR – 10' (30' ABUTTING RESIDENTIAL)
ZONE B1 SETBACKS: FRONT – 35', SIDE – 15', REAR – 15'
ZONE A2 SETBACKS: FRONT – 35', SIDE – 15', REAR – 25'.

7) THE SURVEYED PREMISES IS LOCATED WITHIN FLOOD ZONE 'X' (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR ROCKINGHAM COUNTY, VIRGINIA, MAP No. 51165C0391D AND 51165C0383D EFFECTIVE DATE, FEBRUARY 6, 2008.

LEGEND

- ● 5/8" REBAR SET
- ○ IRON PIN FOUND
- ⊙ POINT
- (A) PUBLIC STORM DRAINAGE EASEMENT D.B. 3446, P. 402
- (B) TEMPORARY CONSTRUCTION EASEMENT D.B. 3446, P. 402
- (C) PUBLIC STORM DRAINAGE EASEMENT D.B. 3305, P. 197
- (D) TEMPORARY CONSTRUCTION EASEMENT D.B. 3305, P. 197



LINE	BEARING	DISTANCE
L1	S 31°28'54" W	43.32'
L2	S 27°45'23" W	105.06'

CURVE	DELTA	RADIUS	ARC	CHORD	CHORD BEARING
C1	90°00'00"	25.00'	39.27'	35.36'	S 72°31'15" W
C2	36°55'24"	320.00'	206.22'	202.67'	N 44°01'03" W
C3	14°18'25"	1191.42'	297.50'	296.73'	S 56°48'39" E

ADVANCE COPY

SCALE 1" = 200' SEPTEMBER 11, 2019

VALLEY | ENGINEERING
IDEAS MADE REAL
4901 CROWE DRIVE
MOUNT CRAWFORD, VIRGINIA 22841
TELEPHONE (540) 434-6365 OR (800) 343-6365
FAX (540) 432-0685
www.valleyesp.com

BAR SCALE
200 100 0 200 400

COMMONWEALTH OF VIRGINIA
JEFFREY S. SIMMONS
LIC. No. 002468
LAND SURVEYOR

ADVANCE COPY

November 15, 2019

Bradford Dyjack
Rockingham County Community Development
20 East Gay Street
Harrisonburg, VA 22801

SUBJECT: Rezoning application of TM 107-A-201 from A-2 to B-1

In connection with the rezoning request for the property located at Erickson Avenue (1380 Sunny Slope Lane) and identified as tax map parcels 107-A-201, the following proffer is hereby submitted.

(1) Use lot for retail display, sales and service of agricultural, lawn and garden, and construction equipment, parts and related accessories.

Special use permits shall be permitted as approved by Board of Supervisors.

Spec. Mgr.

Jeff S. Germroth, Whitesel Brothers, Inc.
(Signature)

11-18-2019
Date

NOTICE OF PUBLIC HEARING
ROCKINGHAM COUNTY BOARD OF SUPERVISORS

At the regular meeting of the Rockingham County Board of Supervisors on **Wednesday, January 8, 2020,** at **6:00 P.M.,** in the Board of Supervisors Meeting Room of the Rockingham County Administration Center, 20 East Gay Street, Harrisonburg, Virginia, a public hearing will be held to receive comments on the following.

SPECIAL USE PERMITS

SUP19-245 Holtzman Properties, LLC, c/o Todd Rhea, Attorney, 92 N. Liberty Street, Harrisonburg, VA 22802 for a convenience store with gas pumps on property located on the west side of Brocks Gap Road (Route 259) approximately 900' north of Bergton Road (Route 820), Election District #1, zoned A-2. Tax parcel #11-(A)-25B.

SUP19-281 William J. Horst, 2665 W. Dry River Road, Dayton 22821 for a storage area for existing machinery and equipment shop on property located on the east side of W. Dry River Road (Route 738) approximately 1/2 mile north of Koogler Road (Route 739), Election District #4, zoned A-1. Tax Map #105-(A)-149A. Property address: 2667 W. Dry River Road.

SUP19-285 Beacon Towers, 105 Broad Street, Third Floor, Charleston, SC 29401 for a 195' telecommunications facility (with 4' lightning rod) on property located on the northeast side of Waggys Creek Road (Route 742) approximately 3/10 mile northwest of Clover Hill Road (Route 613), Election District #4, zoned A-1. Tax Map #105-(A)-80A & #104-(A)-132A. Property address: 8576 Waggys Creek Road.

SUP19-286 Soil Health Technologies, LLC, 865 Pike Church Road, Rockingham 22801 for a composting site (like use to refuse and recycling center) on property located on the south side of Pike Church Road (Route 701) approximately 3/4 mile east of Mosby Road (Route 712, Election District #2, zoned A-2. Tax Map #123-(A)-104.

The above items and a copy of the full text of any ordinances advertised above may be obtained in the office of Community Development, Rockingham County Administration Center, 20 East Gay Street, Harrisonburg, Virginia. Phone: (540) 564-3032.

Please run this ad in the Classifieds using standard border on:

Tuesday, December 24, 2019
Tuesday, December 31, 2019

Community Development
Special Use Permit Report
SUP19-245

Meeting Date: JANUARY 8, 2020

Applicant: HOLTZMAN PROPERTIES, LLC

Mailing Address: C/O TODD RHEA, ATTORNEY, 92 N. LIBERTY STREET, HARRISONBURG 22802

Property Address: BROCKS GAP ROAD, BERGTON 22811

Phone #/Contact: 433-2601/TODD RHEA

Tax Map ID: 11-(A)-25B (PORTION OF)

Zoning: A-2

Requested Use: CONVENIENCE STORE WITH GAS PUMPS

Location: W SIDE OF BROCKS GAP ROAD APPROX. 900' NW OF BERGTON ROAD

Acreage in parcel: 24.419 ACRES

Acreage in request: 4,127 ACRES

Election District: 1

Comprehensive Plan: AGRICULTURAL RESERVE

Board of Supervisors

PLACING CONDITIONS ON THE REQUEST IS NEITHER A RECOMMENDATION FOR APPROVAL OR FOR DENIAL. IT IS SIMPLY STATING THAT IF APPROVED, THESE ARE THE MINIMUM CONDITIONS THAT SHOULD BE PLACED ON THE PERMIT. IF APPROVED, THE BOARD OF SUPERVISORS MAY CHANGE THESE CONDITIONS OR ADD NEW CONDITIONS AS DEEMED NECESSARY.

If the request is approved by the Board, as a minimum the following conditions should apply:

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 Building Official, a design for a commercial kitchen shall be required.
4. 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 no building permits shall be issued until such time as a site plan is approved.
5. All requirements of the Rockingham county Fire Prevention Code shall be met.
6. Applicant is requesting a sit-down food service in the convenience store. Area to be used shall not exceed 20% of the square footage of the building.
7. As proffered by the applicant, hours of operation will be from 5:00 a.m. to 11:00 p.m. daily.
8. Entrance permit shall be obtained from VDOT and submitted to the Community Development Department prior to issuance of building permits and entrance shall be installed and approved by VDOT prior to issuance of a certificate of occupancy.

9. This permit is contingent upon the applicant obtaining a sewage disposal system from the Health Department. A copy of said permits shall be submitted to the Community Development Department prior to issuance of a building permit. Septic shall be installed and approved by the Health Department prior to issuance of a certificate of occupancy.

10. Requirements of the Office of Drinking Water – Lexington Field Office shall be met with regards to the well. A copy of the permit shall be submitted to the Community Development Department prior to issuance of a building permit. Well shall be installed and approved prior to issuance of a certificate of occupancy.

11. All requirements of the Health Department regarding an eating establishment shall be met, and certification of that approval shall be submitted to the Community Development Department prior to the issuance of a certificate of occupancy.

12. Any on-premise advertising sign associated with this business shall comply with the Rockingham County Code.

13. There shall be no off-premise signs permitted unless all County and State regulations are met.

14. Parking shall comply with the Rockingham County Code.

15. The business shall not begin operation until 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.

GENERAL INFORMATION

SUBMISSION JUSTIFICATION:

Table 17-606 allows for special use permit application for a convenience store in the A-2 zoning district. There is a pending ordinance amendment that will be heard just prior to this request (unless. If that amendment is approved, the following supplemental standards shall apply:

(1) Building shall be limited to no more than four thousand (4,000) square feet, and

(2) Customer seating shall comprise no more than twenty (20%) percent of the convenience store square footage.

If the amendment is denied, some of the conditions of the permit will be changed at the hearing.

BACKGROUND

The current owner of the property is Ronnie Freed. He has signed the application. The applicant is the contract purchaser of the property.

In 2018 the owner filed an application to rezone the property to RV-C (Rural Village Conditional) with the proffered condition being that the only use on the property would be mini-storage. That request was tabled by the Board of Supervisors in April 2018. This was done in order to give the owner time to apply for a special use permit for mini-storage in the A-2 zoning district. On January 9, 2019, when the owner had taken no further action to apply for the special use permit or to withdraw that rezoning application, the Board denied his rezoning.

Adjoining Properties and Special Uses

Direction From Site	Zoning	Request	Decision
North	A-2	None	
East	A-2	None	
South	A-2	None	
West	C-1	None	

ZONING AND EXISTING LAND USE

Adjoining Properties and Uses

Direction From Site	Zoning	Existing Land Use
North	A-2	Home sites, pasture
East	A-2	Home sites, wooded
South	A-2	Home sites
West	C-1	U.S. National Forest

STAFF AND AGENCY ANALYSIS

UTILITIES

Health Department
The applicant will need to contact the local health department to discuss permitting of the proposed sit-down food establishment. Food establishments permitted by the health department require a plan review process prior to permitting. The health department will also need to receive an application for a construction permit for the proposed sewage disposal system along with a private sector design. The designer will need to take into account waste flow and strength expected from the food establishment. The applicant should contact the Office of Drinking Water-Lexington Field Office to discuss the proposed water supply.

Public Works
Public Works has no comments on the proposed special use. The applicant has stated use of a well and septic, and no public utilities are available to the site.

ENVIRONMENTAL

Environmental Services:
Aplan addressing erosion control and stormwater management requirements will need to be submitted for this proposal.

PUBLIC FACILITIES

Emergency Services
Subject property within the Bergton Volunteer Fire Company and Broadway Emergency Squads Bergton Sub-station's respective first due area. This project will need to meet the requirements of the Rockingham County Fire Prevention Code.

Building Official
After approval of all necessary departments and agencies, two sets of drawings will be required at time of building permit application. Drawings will be required to be prepared by a registered Design Professional (RDP). Drawings will be reviewed and comments will be rendered if necessary.

Additional Note: If food will be prepared on site, a design for commercial kitchen will also be required and will be reviewed by this office as well as Fire Marshal's office.

TRANSPORTATION

VDOT – Road Conditions
The proposed use should not have a significant impact to the roadway network. Entrance configuration shall be designed in accordance to current Access Management Standards found in Appendix F of the Road Design Manual. These design parameters include, but are not limited to, spacing, sight distance, and turn lanes. Design requirements will be addressed during site plan review.

VDOT – Traffic Impact Analysis
N/A

SUMMARY

Considerations:

1. This request is for a convenience store with fuel station. Plans are for it to be a country-style store with chairs on the front porch.

2. Applicant requests a sit-down food service area (food will be prepared on site) and made application for an amendment to the ordinance to allow that type of service. That amendment will be heard immediately before this request.

3. Applicant has proffered that the store will be open from 5 a.m. to 11 p.m. daily. Condition #7 covers that proffer.

4. Inasmuch as home cooked type food will be prepared on site, the Building Official shall require a design for a commercial kitchen.

5. The Health Department will require a food service permit.

6. The Lexington Office of Drinking Water requirements shall be met with regard to the well.

7. Septic requirements shall comply with Health Department regulations.

8. All fire prevention Codes shall be met.

9. E&S and stormwater requirements shall be met.

Special Use Permit Application

Item K.

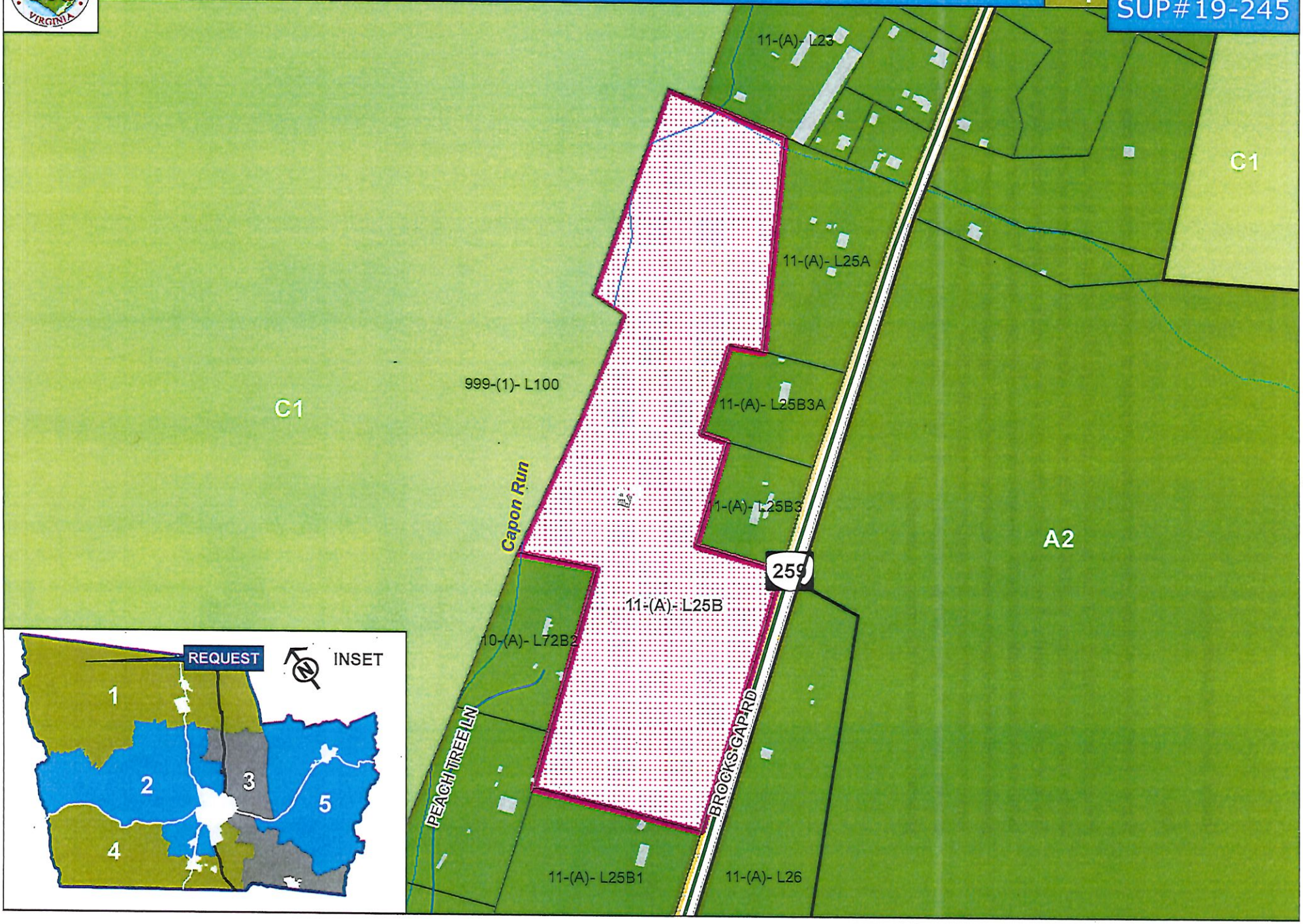
Explain in detail your proposal, hours of operation, number of employees, customer trips expected, etc.

The applicant is applying for a new convenience store and gas/fuel station with food service. The store will be open from 5:00 a.m. to 11:00 p.m. daily, and will typically employ approximately 8-10 employees. This store will be a country store style with chairs on the front porch and sit-down food service with home cooked food inside along with convenience store and grocery items. This fuel station will have gasoline and diesel dispensers with a separate island with high speed diesel dispensers for trucks. The convenience store and station will replace the Green Valley Store, which was across the road about 0.8 of a mile away. The store will be constructed with cedar colored wood siding and a red metal roof generally as shown on the enclosed elevations.

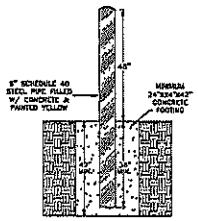
Holtzman Properties LLC Special Use Permit Request

1/8/2020

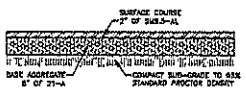
SUP#19-245



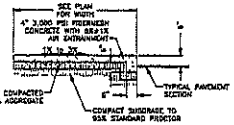
PARKING TABLE				
BLDG #	TOTAL FLOOR AREA	SPACES PER 100 S.F.	REQUIRED PARKING	PROPOSED PARKING
1	3200	1	32	32



BOLLARD DETAIL
NTS

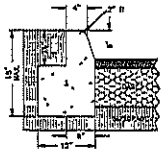


LIGHT PAVEMENT SECTION
NTS

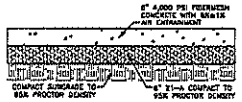


SIDEWALK DETAIL
NTS

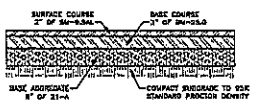
CURB & GUTTER (CG-6)
NTS



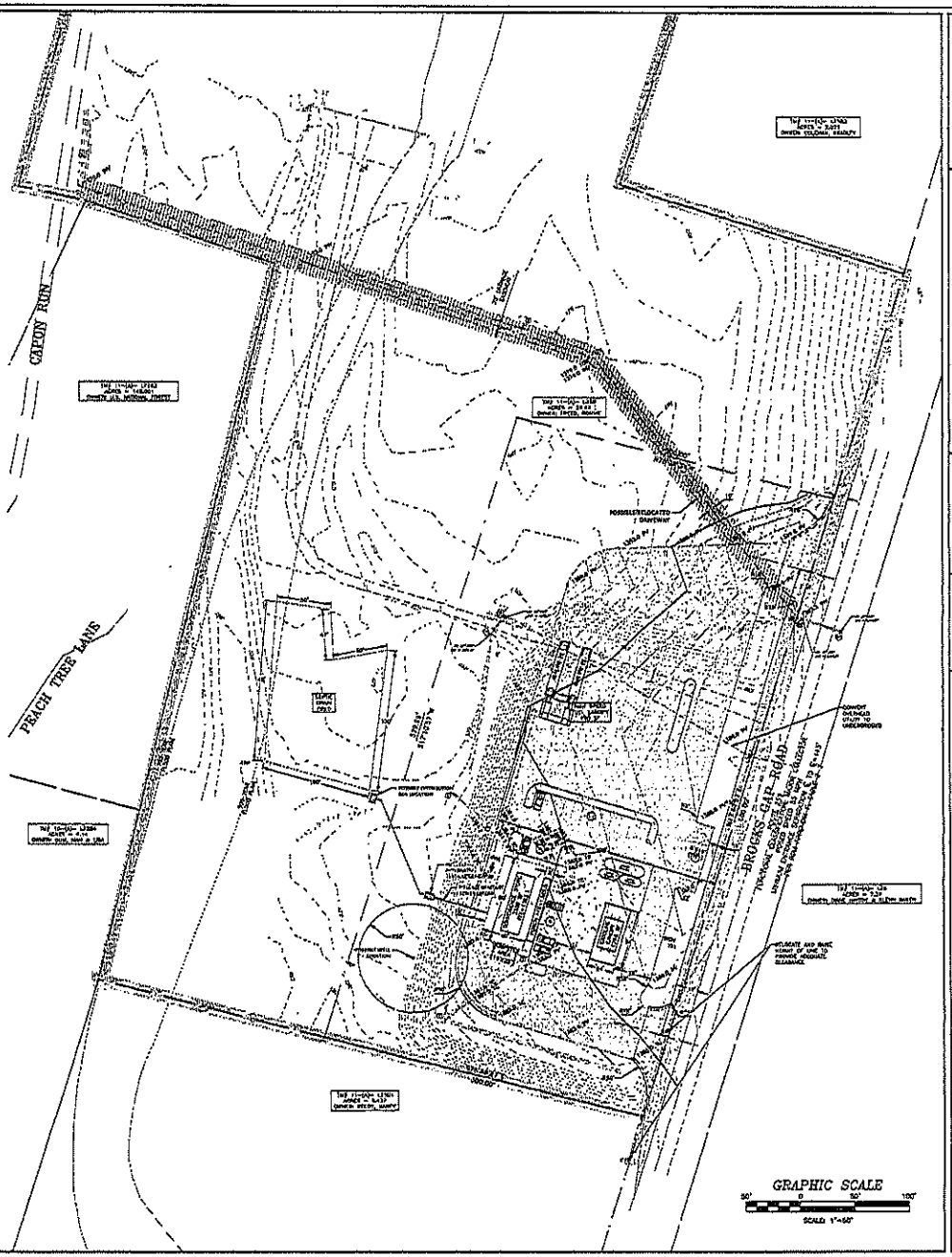
CG-2 CURB DETAIL
NTS



HEAVY CONCRETE SECTION
NTS



HEAVY PAVEMENT SECTION
NTS



Date:	2-20-19
Scale:	1" = 50'
Designed by:	RIJ
Drawn by:	RIJ
Checked by:	JDD

BLACKWELL ENGINEERING, PLC
555 East Market Street
Harrisonburg, Virginia 22801
540-434-5988 FAX 540-434-7963
E-MAIL: BLACKWELL@PIPELINE.COM

COMMONWEALTH OF VIRGINIA
JOHN DAVID DOVE
LICENSED PROFESSIONAL ENGINEER

Revision Dates

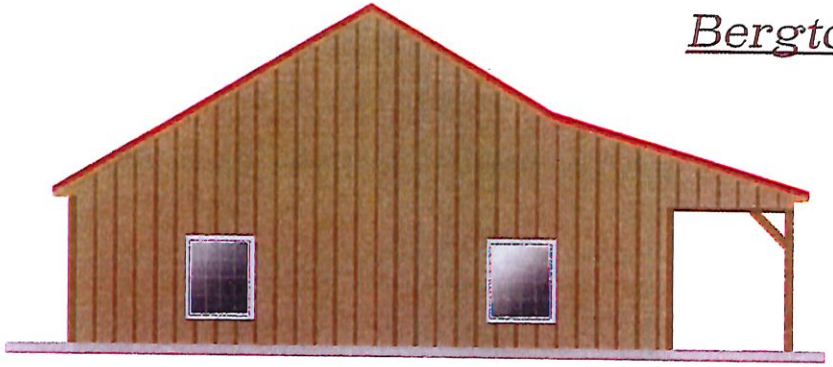
SITE LAYOUT & UTILITY PLAN

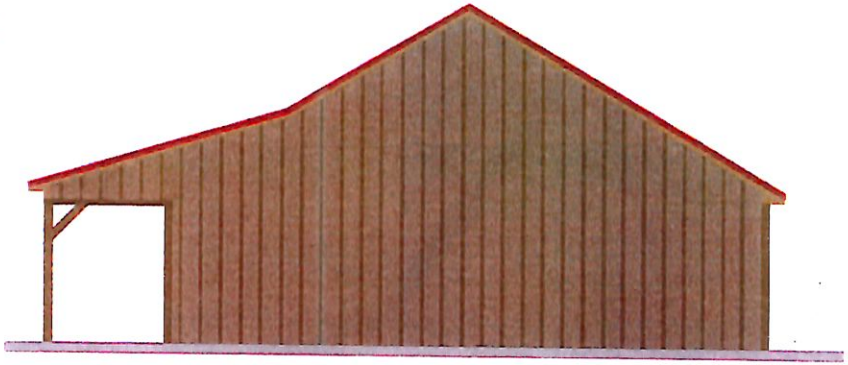
HOLTZMAN LIBERTY – BERGTON, VA
HOLTZMAN OIL CORPORATION
P.O. BOX 9
MOUNT JACKSON, VA 22842

Drawing No.
2
of 4 Sheets

Job No. 2762

Bergton Store





Community Development
Special Use Permit Report
SUP19-281

Meeting Date: JANUARY 8, 2020

Applicant: WILLIAM J. HORST

Mailing Address: 2665 W. DRY RIVER ROAD, DAYTON 22821

Property Address: 2667 W. DRY RIVER ROAD, DAYTON 22821

Phone #/Contact: 867-5655/RAYMOND HORST

Tax Map ID: 105-(A)-149A

Zoning: A-1 AF4

Requested Use: STORAGE AREA FOR EXISTING MACHINER & EQUIPMENT SHOP

Location: E SIDE OF W. DRY RIVER ROAD APPROXIMATELY 1/2 MILE N OF KOOGLER ROAD

Acreage in parcel: 11.8 ACRES

Acreage in request: SAME

Election District: 4

Comprehensive Plan: AGRICULTURAL RESERVE IN OAK GROVE AGICULTURAL/FORESTAL DISTRICT

Board of Supervisors

PLACING CONDITIONS ON THE REQUEST IS NEITHER A RECOMMENDATION FOR APPROVAL OR FOR DENIAL. IT IS SIMPLY STATING THAT IF APPROVED, THESE ARE THE MINIMUM CONDITIONS THAT SHOULD BE PLACED ON THE PERMIT. IF APPROVED, THE BOARD OF SUPERVISORS MAY CHANGE THESE CONDITIONS OR ADD NEW CONDITIONS AS DEEMED NECESSARY.

If the request is approved by the Board, as a minimum the following conditions should apply:

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. VDOT requirements shall be met, and a permit shall be obtained from VDOT to upgrade the entrance to a moderate volume commercial entrance. A copy of that permit shall be submitted to the Community Development Department prior to issuance of a building permit.

4. 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 no building permits shall be issued until such time as a site plan is approved.

GENERAL INFORMATION

SUBMISSION JUSTIFICATION:

Table 17-606 allows for special use permit application for a machinery and equipment business in the A-2 zoning district. This is for storage only for an existing business.
The Dry River Agricultural-Forestal District states that any nonagricultural or nonforestal uses and/or buildings shall be on property where there is an ongoing agricultural or forestall operation that qualifies for land use taxation.
The original business went into operation prior to the property being in the ag-forestal district. However, because of the closeness of one of the additions to the property line

and because another building crosses a property line, the applicant has agreed to vacate property lines. The farming operation does qualify for land use taxation, whether or not the applicant receives such taxation.

BACKGROUND

On August 9, 1982, the Board approved a special use permit for a machine shop on this property. On May 10, 2017, the Board approved an addition to the business (which is listed as machinery and equipment center in the current zoning ordinance)

Adjoining Properties and Special Uses

Direction From Site	Zoning	Request	Decision
North	A-1	None	
East	A-1	None	
South	A-1	None	
West	A-2	None	

ZONING AND EXISTING LAND USE

Adjoining Properties and Uses

Direction From Site	Zoning	Existing Land Use
North	A-1	Pasture
East	A-1	Pasture
South	A-1	Tillable, wooded
West	A-2	Home site, pasture

STAFF AND AGENCY ANALYSIS

UTILITIES

Health Department

Applicant must ensure the storage area does not encroach upon any existing sewage disposal system or well location. A private sector designer would be required for any sewage disposal system needs, such as a restroom for employees or plumbing a new building to an existing sewage system.

Public Works
Private well and septic system used. No public utilities available.

ENVIRONMENTAL

Environmental Services:
Any land disturbance over 10,000 square feet requires permitting through Rockingham County environmental dept.

PUBLIC FACILITIES

Emergency Services
Subject property is located within the Clover Hill Volunteer Fire and Rescue Squad's respective first due area. This project will need to meet the requirements of the Rockingham County Fire Prevention Code.

Building Official
No comments as of the writing of this report.

TRANSPORTATION

VDOT – Road Conditions
This site was evaluated back in 2017 for a Special Use Permit to expand an existing machinery and equipment center. At that time, VDOT commented that the entrance roughly met moderate volume commercial entrance standards, however, the entrance pavement was in poor condition and recommended that the entrance be overlaid with new asphalt. As of today, the entrance has been reverted by to an aggregate surface. This type of unpaved entrance does not meet the minimum standards for higher volume (over 50 trips per day, entering and exiting) commercial use. Assuming a minimum use of 50 trips per day, a Land Use Permit will need to be obtained and the entrance paved to meet moderate volume commercial entrance standards

VDOT – Traffic Impact Analysis
N/A

SUMMARY

Considerations:

1. A special use permit was approved in 1982 and another in 2017 for this business.

2. All conditions of those special use permits remain in effect.

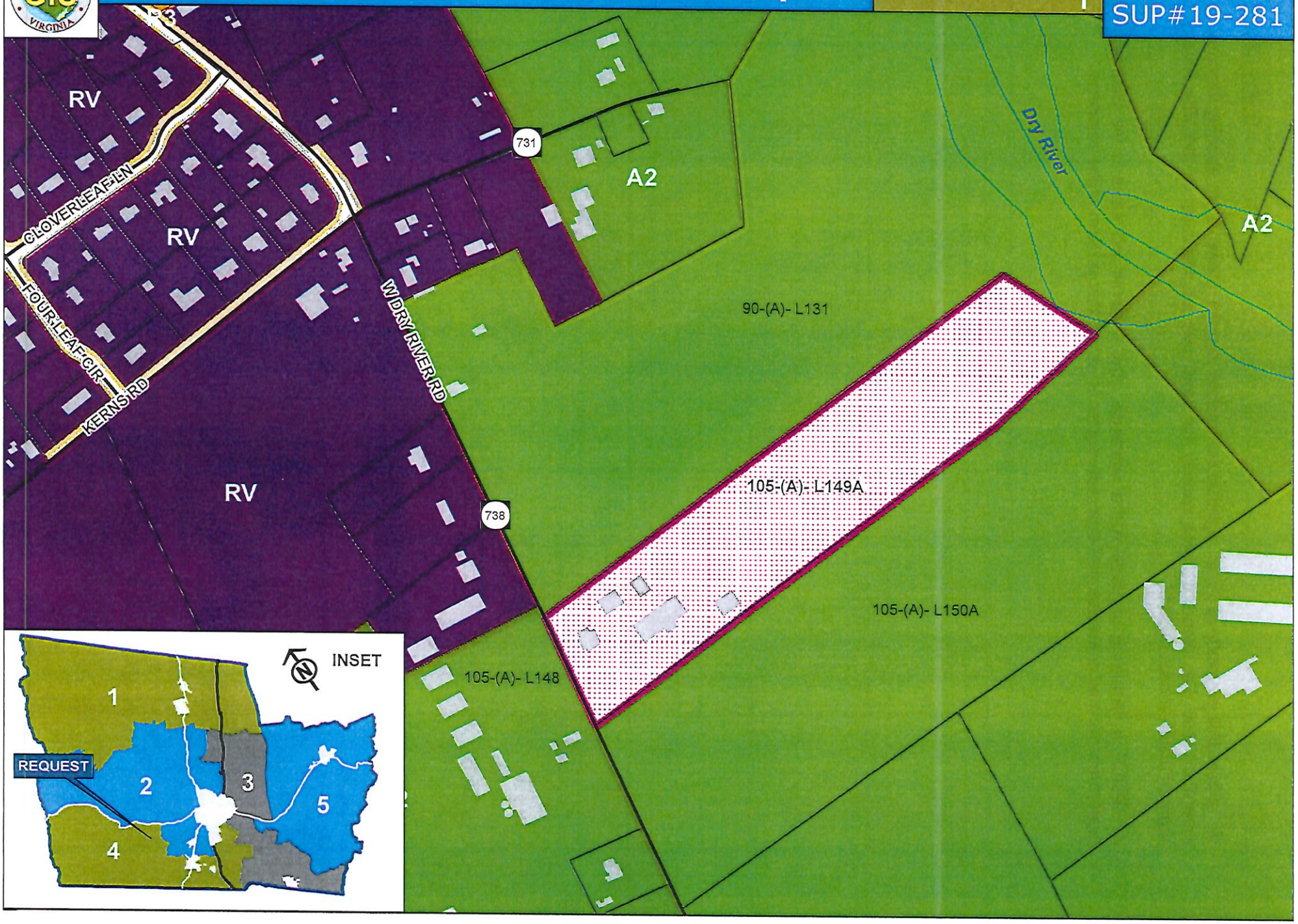
3. While this property is in an agricultural/forestal district, there is an existing farming operation and the property does qualify for land use as required in the Dry River Agricultural/Forestal District.

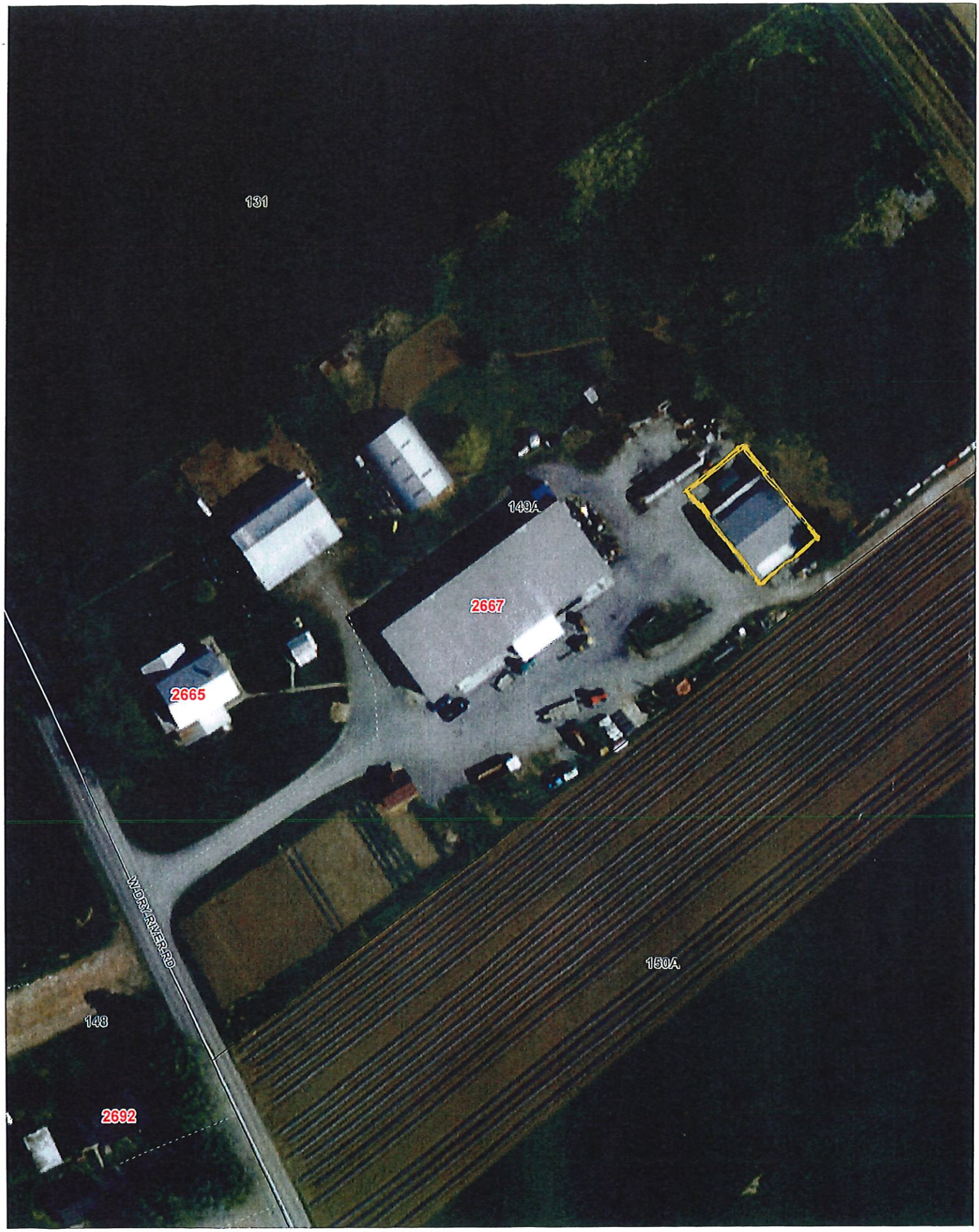
4. VDOT is requiring upgrade to the entrance, and a permit will have to be obtained from them for that entrance and completed prior to using this portion of the business.

William J Horst Special Use Permit Request

1/8/2020

SUP#19-281




131
149A
2667
2665
W.DRY.RIVER.RD
150A
148
2692

Community Development
Special Use Permit Report
SUP19-285

Meeting Date: JANUARY 8, 2020

Applicant: BEACON TOWERS

Mailing Address: 105 BROAD ST., THIRD FLOOR, CHARLESTON SC 29401

Property Address: 8576 WAGGYS CREEK RD., DAYTON 22821

Phone #/Contact: (843) 414-9754/JONATHAN YATES

Tax Map ID: TAX MAP #105-(A)-L80A & 104-(A)-132a

Zoning: A1

Requested Use: 195' TELECOMMUNICATIONS TOWER (MONOPOLE) WITH 4' LIGHTNING ROD

Location: NE SIDE OF WAGGYS CREEK ROAD APPROX. 3/10 MILE NW OF CLOVER HILL ROAD

Acreage in parcel: 24.469 ACRES IN PARCEL 80A; 10.625 ACRES IN PARCEL 132A

Acreage in request: LESS THAN 1 ACRE

Election District: 4

Comprehensive Plan: AGRICULTURAL RESERVE

Board of Supervisors

PLACING CONDITIONS ON THE REQUEST IS NEITHER A RECOMMENDATION FOR APPROVAL OR FOR DENIAL. IT IS SIMPLY STATING THAT IF APPROVED, THESE ARE THE MINIMUM CONDITIONS THAT SHOULD BE PLACED ON THE PERMIT. IF APPROVED, THE BOARD OF SUPERVISORS MAY CHANGE THESE CONDITIONS OR ADD NEW CONDITIONS AS DEEMED NECESSARY.

If the request is approved by the Board, as a minimum the following conditions should apply:

1. Use shall be located in substantial accordance to plot plan submitted with the application.

2. All building code requirements shall be met.

3. Applicant shall meet all VDOT requirements regarding the entrance and the use of it for construction traffic. If improvement is required, a copy of the permit shall be submitted to the Community Development Department. If no permits are required, notification must be received by the department from VDOT. In either case, the information must be provided to Community Development prior to issuance of a building permit.

4. All Erosion & Sediment Control regulations shall be met.

5. The telecommunications tower as approved under this permit shall not exceed 199' (including the 4' lightning rod).

6. If the tree coverage is not sufficient to buffer the fenced compound from view, the area must be buffered in accordance with the County Code.

7. 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.

GENERAL INFORMATION

SUBMISSION JUSTIFICATION:
Table 17-606 allows for special use permit application for telecommunications facilities in the A-1 zoning district as long as the telecommunications ordinance is met.

BACKGROUND
Parcel 104-(A)-L132A will be used for the entrance to access the property. The telecommunications facility will be located on parcel #105-(A)-
80A

Adjoining Properties and Special Uses

Direction From Site	Zoning	Request	Decision
North	A-1	None	
East	A-1	None	
South	A-1	Second residence for son	Approved 7/25/01
West	A-1	None	

ZONING AND EXISTING LAND USE

Adjoining Properties and Uses

Direction From Site	Zoning	Existing Land Use
North	A-1	Tillable, pasture
East	A-1	Home sites, pasture
South	A-1	Home sites, pasture
West	A-1 A-1	Ottobine Elementary School Home site, tillable, pasture

STAFF AND AGENCY ANALYSIS

UTILITIES

Health Department
Applicant must ensure the project (roads, excavation, structures, etc.) does not encroach upon any sewage disposal system or water supply

Public Works
There are no public utilities in the area available for connections.

ENVIRONMENTAL

Environmental Services:
Any land disturbance over 10,000 square feet requires permitting through Rockingham County Environmental.

PUBLIC FACILITIES

Emergency Services
Subject property is located within the Bridgewater Volunteer Fire Department and Bridgewater Volunteer Rescue Squad's respective first due area. This project will need to meet the requirements of the Rockingham County Fire Prevention Code.

Building Official
No comments as of the writing of this report.

TRANSPORTATION

VDOT – Road Conditions
The proposed use would not have a significant impact to the roadway network. The existing entrance is adequate for the small traffic volume generated by this use.
However, VDOT does have concerns regarding construction traffic. The existing entrance is a small, unpaved residential entrance that is constricted by a telephone pedestal and fence. In order to serve construction traffic, it is likely that the entrance is going to need to be either temporarily enlarged or a temporary construction entrance built at another location. If this is the case, a Land Use Permit will be required for a temporary construction entrance

VDOT – Traffic Impact Analysis
N/A

SUMMARY

Considerations:

1. Applicants are requesting approval of a 195' monopole telecommunication facility with a 4' lightning rod.

2. Tax parcel 104-(A)-132A will be used for the right-of-way to the telecommunications facility. The facility itself will be located on parcel 105-(A)-80A.

3. The right-of-way or facility shall not encroach upon any existing septic.

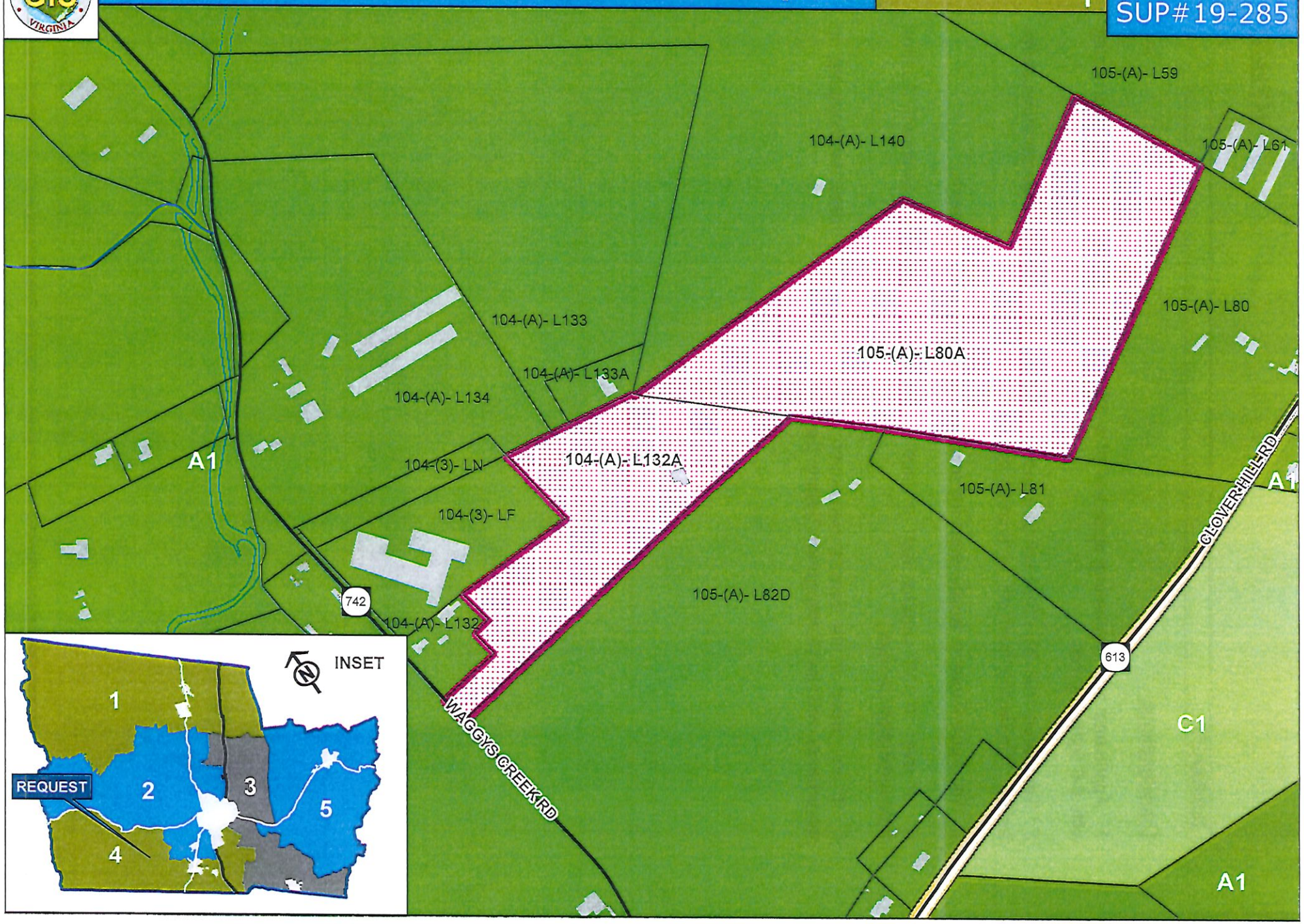
4. If over 10,000 square feet of land is disturbed, Erosion & Sediment Control measures shall be met.

5. If any areas of the fenced compound are not buffered by trees, landscaping, in accordance with the Rockingham County Code, shall be met.

Beacon Towers Special Use Permit Request

1/8/2020

SUP#19-285

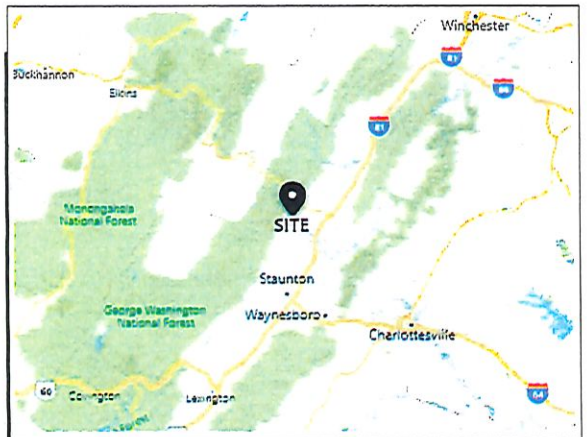


SITE NAME:

OTTOBINE

SITE NUMBER:

VA580



VICINITY MAP

SCALE: 1" = 30 MILES

NORTH

LOCAL MAP

SCALE: 1" = 2000'

NORTH

DIRECTIONS TO SITE:
ENTERING VIRGINIA ALONG I-74 NORTH 36.3 MI. AT EXIT 32, TAKE RAMP RIGHT FOR I-81 NORTH TOWARD ROANOKE 139.6 MI. KEEP STRAIGHT ONTO I-81 N 18.5 MI. AT EXIT 240, TAKE RAMP RIGHT FOR VA-257 TOWARD BRIDGEWATER COLLEGE / BRIDGEWATER / MT CRAWFORD 0.2 MI. TURN LEFT ONTO VA-257 W 3.4 MI. TURN LEFT ONTO VA-42 / N MAIN ST 0.5 MI. TURN RIGHT ONTO SPRING CREEK RD 5.7 MI. TURN RIGHT ONTO VA-257 / BRIERY BRANCH RD. 0.4 MI. TURN LEFT ONTO WAGGYS CREEK RD 0.4 MI. ARRIVE AT SITE ON THE RIGHT.

BEACON TOWERS

"Leading the Way"

verizon

PROJECT DESCRIPTION:

A NEW 195' MONOPOLE W/ 4' LIGHTNING ROD WIRELESS FACILITY

811 Know what's below. Call before you dig.

DIG ALERT:

CALL VIRGINIA 811 FOR UNDERGROUND UTILITIES PRIOR TO DIGGING-811 OR 800-552-7001

EMERGENCY:

CALL 911

APPROVAL

OWNER'S AGENT APPROVAL	SIGNATURE	PHONE NUMBER	DATE
CONSTRUCTION COORDINATOR	SIGNATURE	PHONE NUMBER	DATE
APPROVAL	SIGNATURE	PHONE NUMBER	DATE

SUBMISSION REVISION

SET NO.	DESCRIPTION	BY	DATE	SET NO.	DESCRIPTION	BY	DATE
1				5			
2				6			
3				7			
4				8			

ISSUED FOR ZONING

ARCHITECTURAL AND ENGINEERING FIRM:
BC ARCHITECTS ENGINEERS, PLC
5661 COLUMBIA PIKE, SUITE 200
FALLS CHURCH, VA 22041-2868
TEL: (703) 671-6000 CONTACT: CHRIS MORIN
FAX: (703) 671-6300 ENGINEER

UTILITIES:
POWER COMPANY:
COMPANY NAME: TBD
CONTACT: TBD
TEL: TBD

TELEPHONE COMPANY:
COMPANY NAME: TBD
CONTACT: CUSTOMER SERVICE
TEL: TBD

CONSULTING TEAM

SITE NAME:
OTTOBINE

SITE NUMBER:
VA580

SITE ADDRESS:
8576 WAGGYS CREEK RD
DAYTON, VA 22821

PARCEL OWNER:
AIRDY ROBERT E & KAREN R
8576 WAGGYS CREEK RD
DAYTON, VA 22821

APPLICANT BUILDING INFO:
BEACON TOWERS-VA, LLC
P.O. BOX 685
MT. PLEASANT, SC 29465
ATTN: MARTIN DEPUTY
TEL: (843) 324-8731

PROJECT DESCRIPTION:
AN UNMANNED RADIO TELECOMMUNICATIONS FACILITY CONSISTING OF A 195 FT. MONOPOLE W/ 4' LIGHTNING ROD IN A NEW COMPOUND

ADA COMPLIANCE:
FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION

PROJECT DATA:
JURISDICTION: ROCKINGHAM COUNTY
COUNTY: ROCKINGHAM
TAX MAP #: 104-(A)-L132/105-(A)-L80A
DEED BOOK & PAGE: W74/92 - 890/353
ZONING: A1 (PRIME AGRICULTURE DISTRICT)

GEOGRAPHIC COORDINATES:
LATITUDE: N 38° 26' 10.93"
LONGITUDE: W 78° 02' 220.37"
GROUND ELEVATION: 1,206.0'± AMSL

CODE COMPLIANCE
2017 VIRGINIA UNIFORM STATEWIDE BUILDING CODE (USBC)
2014 NATIONAL ELECTRIC CODE (NEC 2014)

PROJECT SUMMARY

SHEET NUMBER:	DESCRIPTION:
T-1	TITLE SHEET, VICINITY MAP AND GENERAL INFORMATION
1 SHEET	SURVEY
A-0	SITE PLAN
A-1	ENLARGED SITE PLAN
A-2	TOWER ELEVATION
A-3	FENCE & GATE DETAILS
A-4	SIGNAGE

SHEET INDEX

BEACON TOWERS
"Leading the Way"
BEACON TOWERS-VA, LLC
P.O. BOX 685
MT. PLEASANT, SC 29465

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BC architects engineers
5661 COLUMBIA PIKE, SUITE 200
FALLS CHURCH, VA 22041-2868
TEL: (703) 671-6000
FAX: (703) 671-6300

SHEET REVISION

NO.	DESCRIPTION	BY	DATE
1			
2			
3			
4			
5			

SITE NAME:
OTTOBINE

SITE NUMBER:
VA580

SITE ADDRESS:
8576 WAGGYS CREEK RD
DAYTON, VA 22821

COMMONWEALTH OF VIRGINIA
CHRISTOPHER D. MORIN
No. 032984
7.10.19
PROFESSIONAL ENGINEER

DRAWN BY:	JC
CHECKED BY:	CM
DATE DRAWN:	07-08-19
SUBMISSION:	FINAL ZONING

SHEET TITLE:
VICINITY MAP AND GENERAL INFORMATION

SHEET NUMBER:	REV. #
T-1	0

Plat of Specific Purpose Survey for

Beacon Towers-VA, LLC

Showing property situated northeast of Virginia Secondary Route 742 (Waggys Creek Road) lying in the Ashby Magisterial District of Rockingham County, Virginia. County Tax Map 104 - (A) - L132A being all of the same property ROBERT E. AIREY and KAREN R. AIREY acquired from LOIS F. REEDY, ET ALS by deed dated 25 August 1983 of record in Deed Book 690 pg. 353. County Tax Map 105 - (A) - L80A being all of the same property ROBERT AIREY received from ELVERT LEWIS AIREY by will dated 11 December 1996 of record in Will Book 74 pg. 92. All of the aforementioned documents are recorded in the Office of the Clerk of the Circuit Court of Rockingham County located in Harrisonburg, Virginia.

June 25, 2019

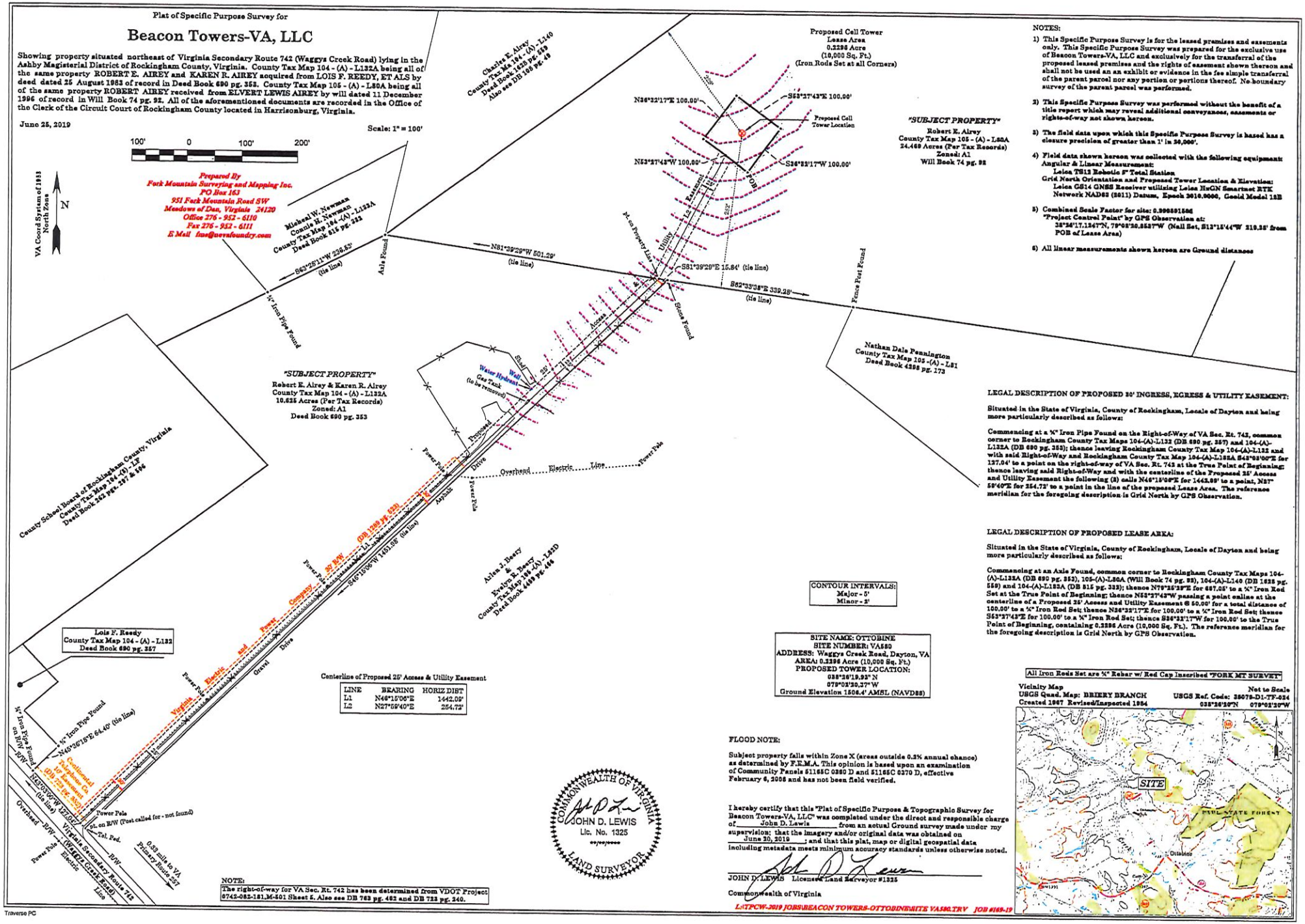
Scale: 1" = 100'

100' 0 100' 200'

VA Coord System of 1983 North Zone

N

Prepared By
Fork Mountain Surveying and Mapping Inc.
PO Box 163
951 Fork Mountain Road SW
Meadows of Dan, Virginia 24120
Office 276 - 952 - 6110
Fax 276 - 952 - 6111
E Mail lms@overloundry.com



NOTES:

1) This Specific Purpose Survey is for the leased premises and easements only. This Specific Purpose Survey was prepared for the exclusive use of Beacon Towers-VA, LLC and exclusively for the transferral of the proposed leased premises and the rights of easement shown thereon and shall not be used as an exhibit or evidence in the fee simple transferral of the parent parcel nor any portion or portions thereof. No boundary survey of the parent parcel was performed.

2) This Specific Purpose Survey was performed without the benefit of a title report which may reveal additional conveyances, easements or rights-of-way not shown hereon.

3) The field data upon which this Specific Purpose Survey is based has a closure precision of greater than 1' in 30,000'.

4) Field data shown hereon was collected with the following equipment:
Angular & Linear Measurement:
Leica TS12 Robotic 5" Total Station
Grid North Orientation and Proposed Tower Location & Elevation:
Leica GS14 GNSS Receiver utilizing Leica NetGN Smartnet RTK Network NAD83 (2011) Datum, Epoch 2010.0000, Geoid Model 12B

5) Combined Scale Factor for site: 0.999891586
"Project Control Point" by GPS Observation at:
38°26'17.1347"N, 79°02'32.8537"W (Nail Set, S13°15'44"W 219.35' from POB of Lease Area)

6) All linear measurements shown hereon are Ground distances

LEGAL DESCRIPTION OF PROPOSED 30' INGRESS, EGRESS & UTILITY EASEMENT:

Situated in the State of Virginia, County of Rockingham, Locale of Dayton and being more particularly described as follows:

Commencing at a ¾" Iron Pipe Found on the Right-of-Way of VA Sec. Rt. 742, common corner to Rockingham County Tax Maps 104-(A)-L132 (DB 690 pg. 357) and 104-(A)-L132A (DB 690 pg. 353); thence leaving Rockingham County Tax Map 104-(A)-L132 and with said Right-of-Way and Rockingham County Tax Map 104-(A)-L132A S42°33'00"E for 137.04' to a point on the right-of-way of VA Sec. Rt. 742 at the True Point of Beginning; thence leaving said Right-of-Way and with the centerline of the Proposed 25' Access and Utility Easement the following (2) calls N46°15'06"E for 1442.09' to a point, N27°59'40"E for 254.72' to a point in the line of the proposed Lease Area. The reference meridian for the foregoing description is Grid North by GPS Observation.

LEGAL DESCRIPTION OF PROPOSED LEASE AREA:

Situated in the State of Virginia, County of Rockingham, Locale of Dayton and being more particularly described as follows:

Commencing at an Axle Found, common corner to Rockingham County Tax Maps 104-(A)-L132A (DB 690 pg. 353), 105-(A)-L80A (Will Book 74 pg. 92), 104-(A)-L140 (DB 1429 pg. 559) and 104-(A)-L132A (DB 615 pg. 332); thence N79°25'29"E for 667.25' to a ¾" Iron Rod Set at the True Point of Beginning; thence N53°27'43"W passing a point online at the centerline of a Proposed 25' Access and Utility Easement @ 50.00' for a total distance of 100.00' to a ¾" Iron Rod Set; thence N36°22'17"E for 100.00' to a ¾" Iron Rod Set; thence S53°27'43"E for 100.00' to a ¾" Iron Rod Set; thence S36°22'17"W for 100.00' to the True Point of Beginning, containing 0.2296 Acre (10,000 Sq. Ft.). The reference meridian for the foregoing description is Grid North by GPS Observation.

CONTOUR INTERVALS:
Major - 5'
Minor - 2'

SITE NAME: OTTOBINE
SITE NUMBER: VA580
ADDRESS: Waggys Creek Road, Dayton, VA
AREA: 0.2296 Acre (10,000 Sq. Ft.)
PROPOSED TOWER LOCATION:
38°26'19.92" N
79°02'20.37" W
Ground Elevation 1506.4' AMSL (NAVD88)

All Iron Rods Set are ¾" Rebar w/ Red Cap Inscribed "FORK MT SURVEY"

Vicinity Map
USGS Quad. Map: BRIERY BRANCH
Created 1967 Revised/Inspected 1984
Not to Scale
USGS Ref. Code: 38078-D1-TF-024
038°26'20"N 079°02'20"W

Centerline of Proposed 25' Access & Utility Easement

LINE	BEARING	HORIZ DIST
L1	N46°15'06"E	1442.09'
L2	N27°59'40"E	254.72'

FLOOD NOTE:

Subject property falls within Zone X (areas outside 0.2% annual chance) as determined by F.E.M.A. This opinion is based upon an examination of Community Panels 51165C 0280 D and 51165C 0270 D, effective February 6, 2006 and has not been field verified.

I hereby certify that this "Plat of Specific Purpose & Topographic Survey for Beacon Towers-VA, LLC" was completed under the direct and responsible charge of John D. Lewis from an actual Ground survey made under my supervision; that the imagery and/or original data was obtained on June 20, 2019; and that this plat, map or digital geospatial data including metadata meets minimum accuracy standards unless otherwise noted.

COMMONWEALTH OF VIRGINIA
JOHN D. LEWIS
Lic. No. 1325
LAND SURVEYOR

JOHN D. LEWIS Licensed Land Surveyor #1325

Commonwealth of Virginia

NOTE:
The right-of-way for VA Sec. Rt. 742 has been determined from VDOT Project 6742-082-181,M-501 Sheet 5. Also see DB 763 pg. 462 and DB 723 pg. 240.

L:\TPCW-2019 JOBS\BEACON TOWERS-OTTOBINE\SITE VA580.TRV JOB #169-19

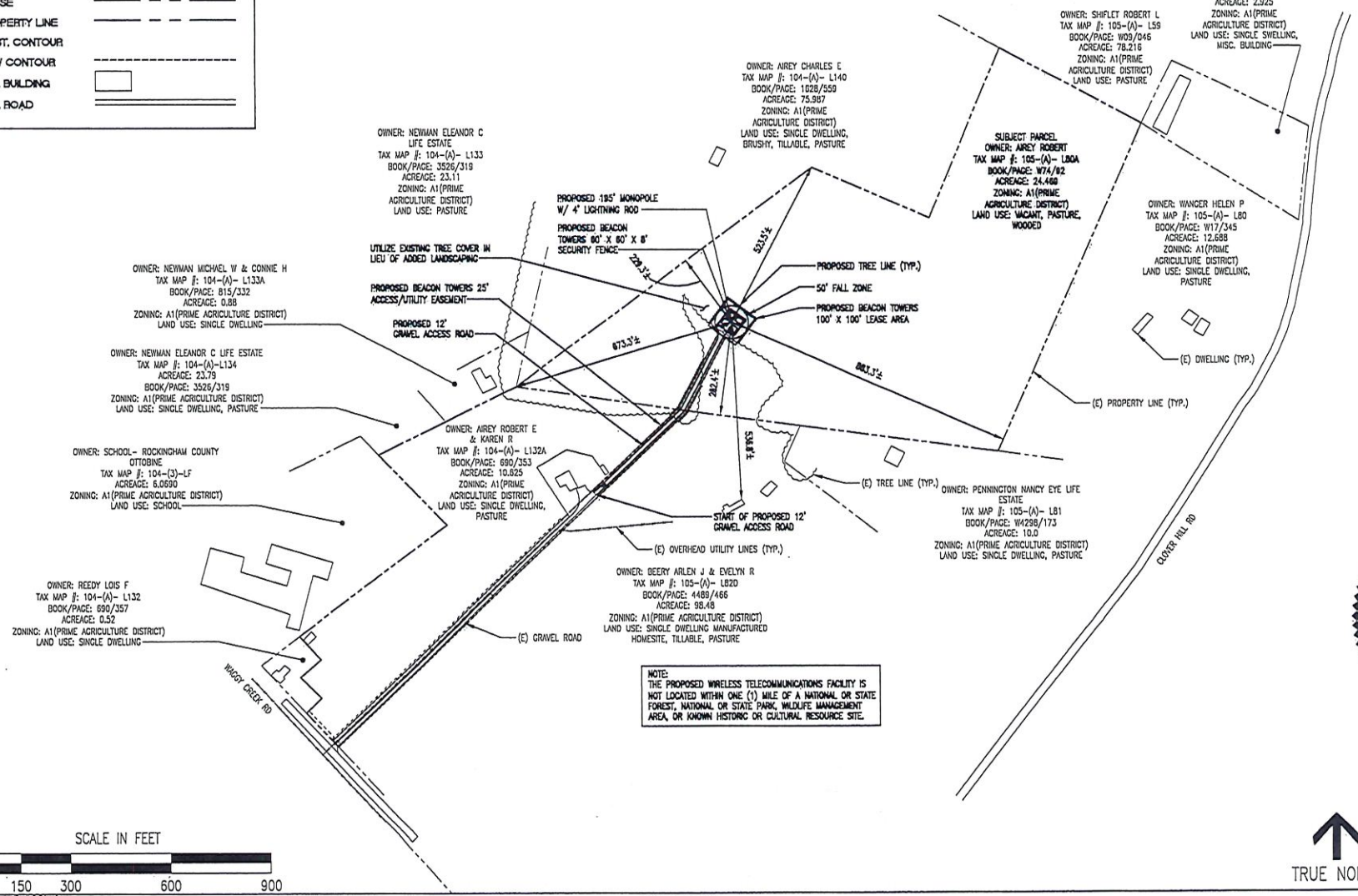
Traverse PC

LEGEND

NEW FENCE	—X—X—X—X—X—
EXIST. FENCE	—X—X—X—X—X—
SETBACK	
EASEMENT	— · — · — · —
LEASE	— — —
PROPERTY LINE	— — —
EXIST. CONTOUR	
NEW CONTOUR	
TYP. BUILDING	
TYP. ROAD	

NEAREST TOWERS:

1. 4.58 MI N TO 180-FT SELF SUPPORT TOWER BY VIRGINIA DEPARTMENT OF STATE POLICE
2. 5.5 MI SE TO 123-FT SMOKE STACK BY BRIDGEWATER COLLEGE
3. 6.79 MI ESE TO 250-FT MONOPOLE BY CROWN COMMUNICATIONS LLC
4. 7.16 MI E TO 352-FT GUYED TOWER BY TIDEWATER COMMUNICATIONS, LLC



NOTE:
THE PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY IS NOT LOCATED WITHIN ONE (1) MILE OF A NATIONAL OR STATE FOREST, NATIONAL OR STATE PARK, WILDLIFE MANAGEMENT AREA, OR KNOWN HISTORIC OR CULTURAL RESOURCE SITE.

11"X17" - 1"=300'
24"X36" - 1"=150'

SITE PLAN

1

BEACON TOWERS
"Leading the Way"
BEACON TOWERS-VA, LLC
P.O. BOX 685
MT. PLEASANT, SC 29465

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BC
architects
engineers
5661 COLUMBIA PIKE, SUITE 200
FALLS CHURCH, VA 22041-2868
TEL: (703) 671-6000
FAX: (703) 671-6300

SHEET REVISION

NO.	DESCRIPTION	BY	DATE
1			
2			
3			
4			
5			
6			

SITE NAME:
OTTOBINE

SITE NUMBER:
VA580

SITE ADDRESS:
8576 WAGGYS CREEK RD
DAYTON, VA 22821

STANLEY MORIN

COMMONWEALTH OF VIRGINIA
CHRISTOPHER D. MORIN
No. 032984
7.10.19
PROFESSIONAL ENGINEER

DRAWN BY:	JC
CHECKED BY:	CM
DATE DRAWN:	07-08-19
SUBMISSION:	FINAL ZONING

SHEET TITLE:
SITE PLAN

SHEET NUMBER:	REV. #
A-0	0

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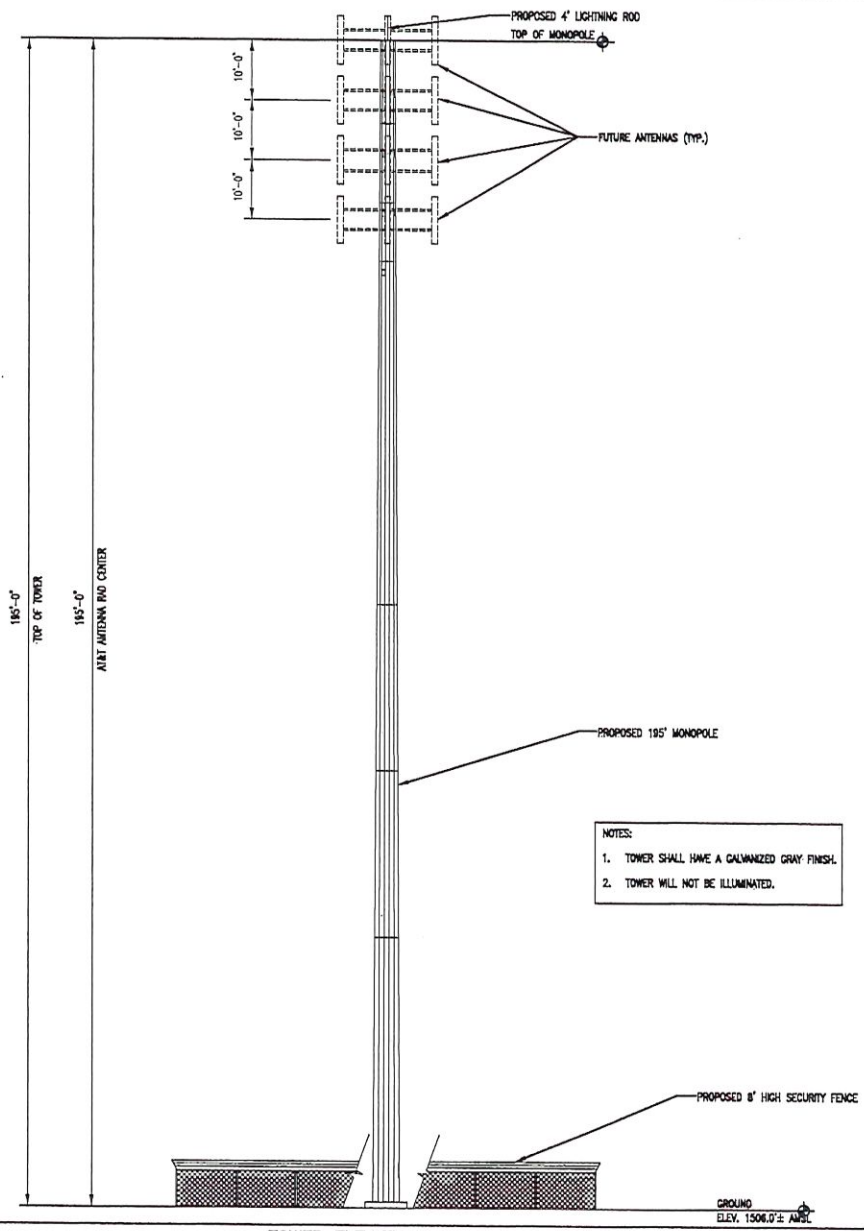

NOTES:

1. TOWER SHALL HAVE A GALVANIZED GRAY FINISH.
2. TOWER WILL NOT BE ILLUMINATED.

SCALE IN FEET

0 10 20 40 60

1"=20' (11" x 17")
1"=10' (24" x 36")

TOWER ELEVATION

1

BEACON TOWERS
"Leading the Way"
BEACON TOWERS-VA, LLC
P.O. BOX 665
MT. PLEASANT, SC 29465

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5481 COLUMBIA PIKE, SUITE 200
FALLS CHURCH, VA 22041-2848
TEL: (703) 671-8000
FAX: (703) 671-8300

SHEET REVISION

NO.	DESCRIPTION	BY	DATE
1			
2			
3			
4			
5			
6			

SITE NAME:
OTTOBINE

SITE NUMBER:
VA580

SITE ADDRESS:
8576 WAGGYS CREEK RD
DAYTON, VA 22821

STAMP HERE

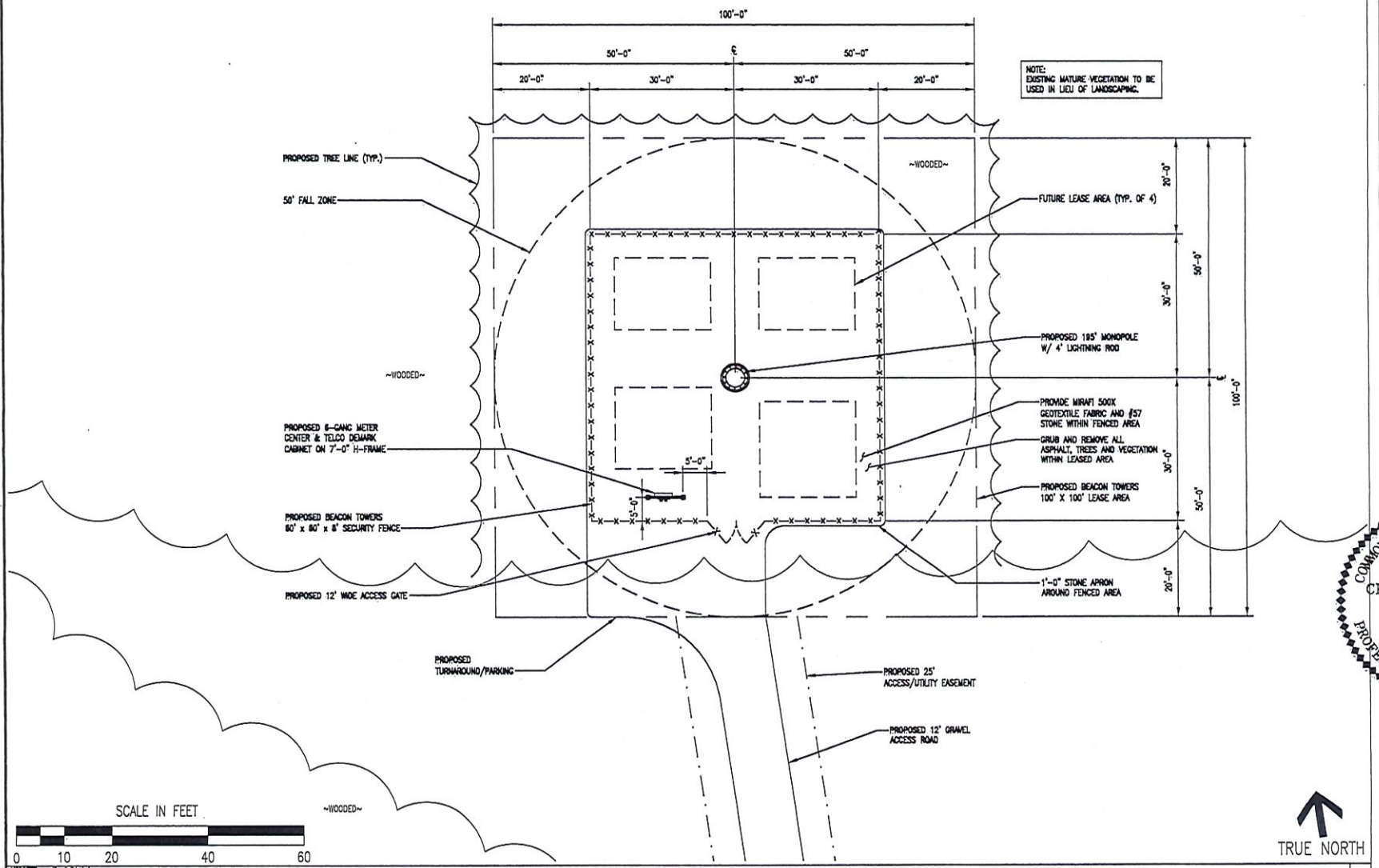
COMMONWEALTH OF VIRGINIA
CHRISTOPHER D. MORIN
No. 032984
7.10.19
PROFESSIONAL ENGINEER

DRAWN BY:	JC
CHECKED BY:	CM
DATE DRAWN:	07-08-19
SUBMISSION:	FINAL ZONING

SHEET TITLE:

TOWER ELEVATION

SHEET NUMBER:	REV. #
A-2	0



11"X17" - 1"=20'
24"X36" - 1"=10'

ENLARGED SITE PLAN

1

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BEACON TOWERS
"Leading the Way"
BEACON TOWERS-VA, LLC
P.O. BOX 845
MT. PLEASANT, SC 29465

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SHEET REVISION

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No. 032984
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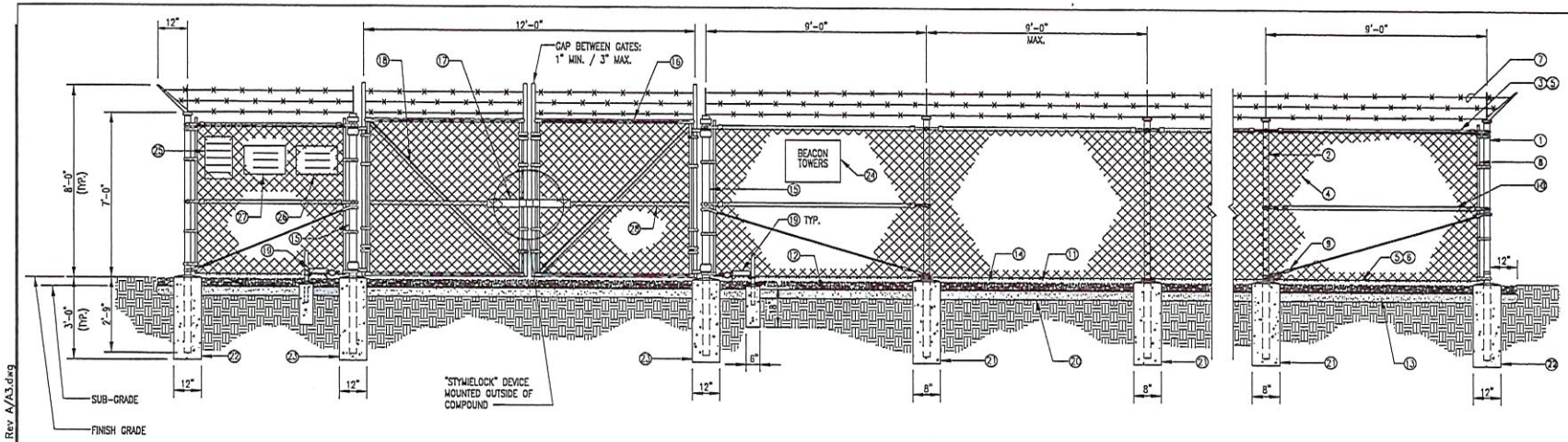
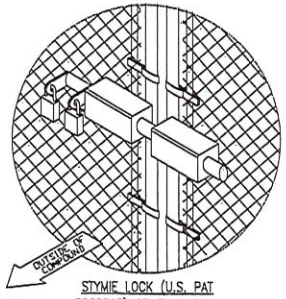
SHEET TITLE:
ENLARGED SITE PLAN

SHEET NUMBER:	REV. #
A-1	0





STYMIE LOCK (U.S. PAT 5868015) OR EQUIVALENT

REFERENCE NOTES:

1. CORNER, END OR PULL POST 4" SCHEDULE 40 PIPE.
2. LINE POST: 2 1/2" SCHEDULE 40 PIPE, PER ASTM-F1083. LINE POSTS SHALL BE EQUALLY SPACED AT MAXIMUM 8'-0" O.C.
3. TOP RAIL & BRACE RAIL: 1 1/2" PIPE, PER ASTM-F1083.
4. FABRIC: 9 GA CORE WIRE SIZE 2" MESH, CONFORMING TO ASTM-A392.
5. TIE WIRE: MINIMUM 11 GA GALVANIZED STEEL AT POSTS AND RAILS A SINGLE WRAP OF FABRIC TIE AND AT TENSION WIRE BY HOG RINGS SPACED MAX. 24" INTERVALS.
6. TENSION WIRE: 9 GA. GALVANIZED STEEL.
7. BARBED WIRE: DOUBLE STRAND 12-1/2" O.D. TWISTED WIRE TO MATCH WITH FABRIC 14 GA, 4 PT. BARBS SPACED ON APPROXIMATELY 5" CENTERS.
8. STRETCHER BAR.
9. 3/8" DIAGONAL ROD WITH GALVANIZED STEEL TURNBUCKLE OR DIAGONAL THREADED ROD.
10. FENCE CORNER POST BRACE: 1 5/8" DIA. EACH CORNER EACH WAY.
11. 1 1/2" MAXIMUM CLEARANCE FROM GRADE.
12. 2" FINISH OR AS DETERMINED BY CONSTRUCTION MANAGER DURING BID WALK.
13. 4" COMPACTED 95% BASE MATERIAL OR AS DETERMINED BY CONSTRUCTION MANAGER DURING BID WALK.
14. FINISH GRADE SHALL BE UNIFORM AND LEVEL.
15. GATE POST 4". SCHEDULE 40 PIPE, FOR GATE WIDTHS UP THRU 10 FEET OR 20 FEET FOR DOUBLE SWING GATE, PER ASTM-F1083.
16. GATE FRAME: 1 1/2" PIPE SCH. 40, PER ASTM-F1083.
17. "STYMIELOCK" OR EQUIVALENT
18. GATE DIAGONAL GALVANIZED STEEL 1 1/2" PIPE.
19. DUCK BILL OPEN GATE HOLDER. VERIFY LOCATION IN FIELD PRIOR TO INSTALLATION.
20. GEOTEXTILE FABRIC.
21. LINE POST: CONCRETE FOUNDATION (3000 PSI).
22. CORNER POST: CONCRETE FOUNDATION (3000 PSI).
23. GATE POST: CONCRETE FOUNDATION (3000 PSI).
24. 18" x 24" BEACON TOWERS SIGN. W/ CONTACT INFO.
25. 12" x 18" YELLOW CAUTION RADIO FREQUENCY SIGN.
26. 12" x 18" COMPETENT CLIMBERS ONLY SIGN.
27. 12" x 18" DANGER NO TRESPASSING/AUTHORIZED PERSONNEL ONLY SIGN.
28. GATE FRAME BRACE: 1 5/8" DIAMETER.

GENERAL NOTES:

1. INSTALL FENCING PER ASTM F-567
2. INSTALL SWING GATES PER ASTM F- 900
3. LOCAL ORDINANCE OF BARBED WIRE PERMIT REQUIREMENT SHALL BE COMPLIED IF REQUIRED.
4. POST & GATE PIPE SIZES ARE INDUSTRY STANDARDS. ALL PIPE TO BE 1 1/2" GALV. (HOT DIP, ASTM A120 GRADE "A" STEEL). ALL GATE FRAMES SHALL BE WELDED. ALL WELDING SHALL BE COATED WITH (3) COATS OF COLD GALV. (OR EQUAL).
5. ALL OPEN POSTS SHALL HAVE END-CAPS.
6. USE GALVANIZED HOG-RING WIRE TO MOUNT ALL SIGNS.
7. ALL SIGNS MUST BE MOUNTED ON INSIDE OF FENCE FABRIC.

STORE EXTRA PARTS OF STYMIELOCK DEVICE IN TELCO CABINET.

NO PLUNGER OR MUSHROOM HEAD REQUIRED.

N.T.S.

FENCE, GATE AND COMPOUND CROSS SECTION DETAIL

1

BEACON TOWERS
"Leading the Way"
BEACON TOWERS-VA, LLC
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MT. PLEASANT, SC 29465

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SHEET REVISION

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SITE NAME:
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DAYTON, VA 22821

STAMP HERE
COMMONWEALTH OF VIRGINIA
CHRISTOPHER D. MORIN
No. 032984
7.10.19
PROFESSIONAL ENGINEER

DRAWN BY:	JC
CHECKED BY:	CM
DATE DRAWN:	07-08-19
SUBMISSION:	FINAL ZONING

SHEET TITLE:
FENCE, GATE AND COMPOUND CROSS SECTION DETAIL

SHEET NUMBER: A-3
REV. #: 0

05-15-19 JGARC 14:11:58 \\10.27.189.8/BC Files/Drawings - 2019/Beacon Towers/Ottobine - VA580/_PZD's - Rev A/A3.dwg

FOR SITE LEASING INFORMATION
PLEASE CONTACT

BEACON TOWERS

"Leading the Way"

(843) 324-9731

QTY: (1) ON COMPOUND GATE, (1) AT ACCESS ROAD GATE IF APPLICABLE

18" X 24" ALUMINUM

NOTICE

COMPETENT CLIMBERS ONLY
BEYOND THIS POINT

Climbers of this antenna/tower structure must comply 100% with all governing State and Federal regulations. Climbers must also comply with all OSHA regulations. This includes, but not limited to, being tied-off 100% at all times. Failure to comply could result in serious injury or death.

10"x7" ALUMINUM
NOTICE SIGN QTY: (1)

MOUNT SIGN ON CLIMBING LEG OF TOWER AT EYE LEVEL.

CAUTION

YELLOW

WHITE

8" X 12"
ALUMINUM

CAUTION

RADIO FREQUENCY ENVIRONMENT AREA

AUTHORIZED PERSONNEL ONLY BEYOND THIS POINT! RADIO FREQUENCY EMISSIONS AT THIS SITE MAY EXCEED THE FEDERAL OCCUPATIONAL CONTROLLED EXPOSURE LIMITS.

Personnel proceeding beyond this point must obey all posted signs, site guidelines and Federal Regulations for working in radio frequency environments.

IN ACCORDANCE WITH FEDERAL REGULATIONS
OR MORE FREQUENT EXAMINE

WHITE / YELLOW BACKGROUND W/ BLACK LETTERING
QUANTITY: (1)
(TO BE MOUNTED AT EYE LEVEL ON TOWER NEAR SAFETY CLIMB)

NOTICE

GREEN

WHITE

8" X 12"
ALUMINUM

Radio frequency fields beyond this point may exceed the FCC general public exposure limit.

OBEY ALL POSTED SIGNS AND SITE GUIDELINES FOR WORKING IN RADIO FREQUENCY ENVIRONMENTS.

In accordance with Federal Communications Commission rules on radio frequency emissions 47 CFR 1.1307(b)

WHITE / GREEN BACKGROUND W/ BLACK LETTERING
QUANTITY: (1)
(TO BE MOUNTED ON COMPOUND ACCESS GATE)

FCC ANTENNA
STRUCTURE REGISTRATION #

FCC# TBD

BEACON TOWER ID: VA580
OTTOBINE

QTY: (1) MAIN COMPOUND GATE

18" X 24" ALUMINUM

SIGNAGE NOTES

1. CONTRACTOR TO PROVIDE AND INSTALL ALL SIGNAGE
2. ALL SIGNS SHALL BE MOUNTED ON INSIDE OF FENCE FABRIC, UNLESS NOTED OTHERWISE.

N.T.S. | SIGNAGE | 1

BEACON TOWERS
"Leading the Way"
BEACON TOWERS-VA, LLC
P.O. BOX 685
MT. PLEASANT, SC 29465

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF BEACON TOWERS, LLC AND THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED EXCEPT BY WRITTEN PERMISSION FROM BEACON TOWERS, LLC. TITLE TO THESE PLANS AND/OR SPECIFICATIONS SHALL REMAIN WITH BEACON TOWERS, LLC WITHOUT PREJUDICE AND VISUAL CONTACT WITH THEM SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.

BC
architects
engineers
5661 COLUMBIA PIKE, SUITE 200
FALLS CHURCH, VA 22041-2868
TEL: (703) 671-6000
FAX: (703) 671-6300

SHEET REVISION

NO.	DESCRIPTION	BY	DATE
1			
2			
3			
4			
5			
6			

SITE NAME:
OTTOBINE

SITE NUMBER:
VA580

SITE ADDRESS:
8576 WAGGYS CREEK RD
DAYTON, VA 22821

STAMP/SEAL
COMMONWEALTH OF VIRGINIA
CHRISTOPHER D. MORIN
No. 032984
7.10.19
PROFESSIONAL ENGINEER

DRAWN BY:	JG
CHECKED BY:	CM
DATE DRAWN:	07-06-19
SUBMISSION:	FINAL ZONING

SHEET TITLE:
SIGNAGE

SHEET NUMBER:	REV. #
A-4	0

05-15-19 JGARC 14:12:20 \\10.27.189.8/BC Files/Drawings - 2019/Beacon Towers/Ottobine - VA580/_PZD's - Rev A/A4.dwg

Community Development
Special Use Permit Report
SUP19-286

Meeting Date: JANUARY 8, 2020

Applicant: SOIL HEALTH TECHNOLOGIES

Mailing Address: 865 PIKE CHURCH ROAD, ROCKINGHAM 22801

Property Address: 977 PIKE CHURCH ROAD, ROCKINGHAM 22801

Phone #/Contact: 421-7169/ KENNETH MARTIN

Tax Map ID: 123-(A)-104

Zoning: A2-AF3

Requested Use: COMPOSTING SITE (RECYCLING)

Location: SOUTH SIDE OF PIKE CHURCH ROAD APPROXIMATELY 3/4 MILE EAST OF MOSBY ROAD

Acreage in parcel: 62.11 ACRES

Acreage in request: 10 – 15 ACRES

Election District: 2

Comprehensive Plan: AGRICULTURAL RESERVE IN OAK GROVE AGRICULTURAL FORESTAL DISTRICT

Board of Supervisors

PLACING CONDITIONS ON THE REQUEST IS NEITHER A RECOMMENDATION FOR APPROVAL OR FOR DENIAL. IT IS SIMPLY STATING THAT IF APPROVED, THESE ARE THE MINIMUM CONDITIONS THAT SHOULD BE PLACED ON THE PERMIT. IF APPROVED, THE BOARD OF SUPERVISORS MAY CHANGE THESE CONDITIONS OR ADD NEW CONDITIONS AS DEEMED NECESSARY.

If the request is approved by the Board, as a minimum the following conditions should apply:

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. 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.

4. Erosion and Sediment control regulations shall be met.

5. Applicant shall meet all Health Department regulations regarding the sewage disposal. If upgrades to the existing system or if a new system is required, copies of the permit shall be submitted to the Community Development Department prior to issuance of a building permit.

6. The business shall not begin operation until 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.

GENERAL INFORMATION

SUBMISSION JUSTIFICATION:
Table 17-606 allows for special use permit application for recycling centers in the A-2 zoning district. This is a type of recycling as they are using poultry manure and feed stocks for composting.

BACKGROUND
Willard Martin owns the property and signed the application.
A special use permit for a greenhouse was approved on this property on October 27, 1980.

Adjoining Properties and Special Uses

Direction From Site	Zoning	Request	Decision
North	R-2 R-5	None None	
East	A-2	None	
South	A-2	None	
West	A-2	None	

ZONING AND EXISTING LAND USE

Adjoining Properties and Uses

Direction From Site	Zoning	Existing Land Use
North	R-2 R-5	Home sites on small lots Undeveloped
East	A-2	Home site, tillable, pasture
South	A-2	Home site, tillable, wooded
West	A-2 A-2 A-2	Home site Church Small lots

STAFF AND AGENCY ANALYSIS

UTILITIES

Health Department
The applicant will need to work with a private sector designer and submit a sewage disposal system design to Health Department for review and approval. The applicant must ensure that the site does not encroach upon any existing sewage disposal system or water supply.

Public Works
No public utilities available.

ENVIRONMENTAL

Environmental Services:
Any land disturbance over 10,000 square feet requires permitting through Rockingham County environmental dept.

PUBLIC FACILITIES

Emergency Services
Subject property is located within the Bridgewater Volunteer Fire Department and Bridgewater Volunteer Rescue Squad's respective first due area. This project will need to meet the requirements of the Rockingham County Fire Prevention Code.

Building Official
No comments as of writing of this report

TRANSPORTATION

VDOT – Road Conditions
The proposed use would not have a significant impact to the roadway network. The existing entrance configuration is adequate for the proposed use.

VDOT – Traffic Impact Analysis
N/A

SUMMARY

Considerations:

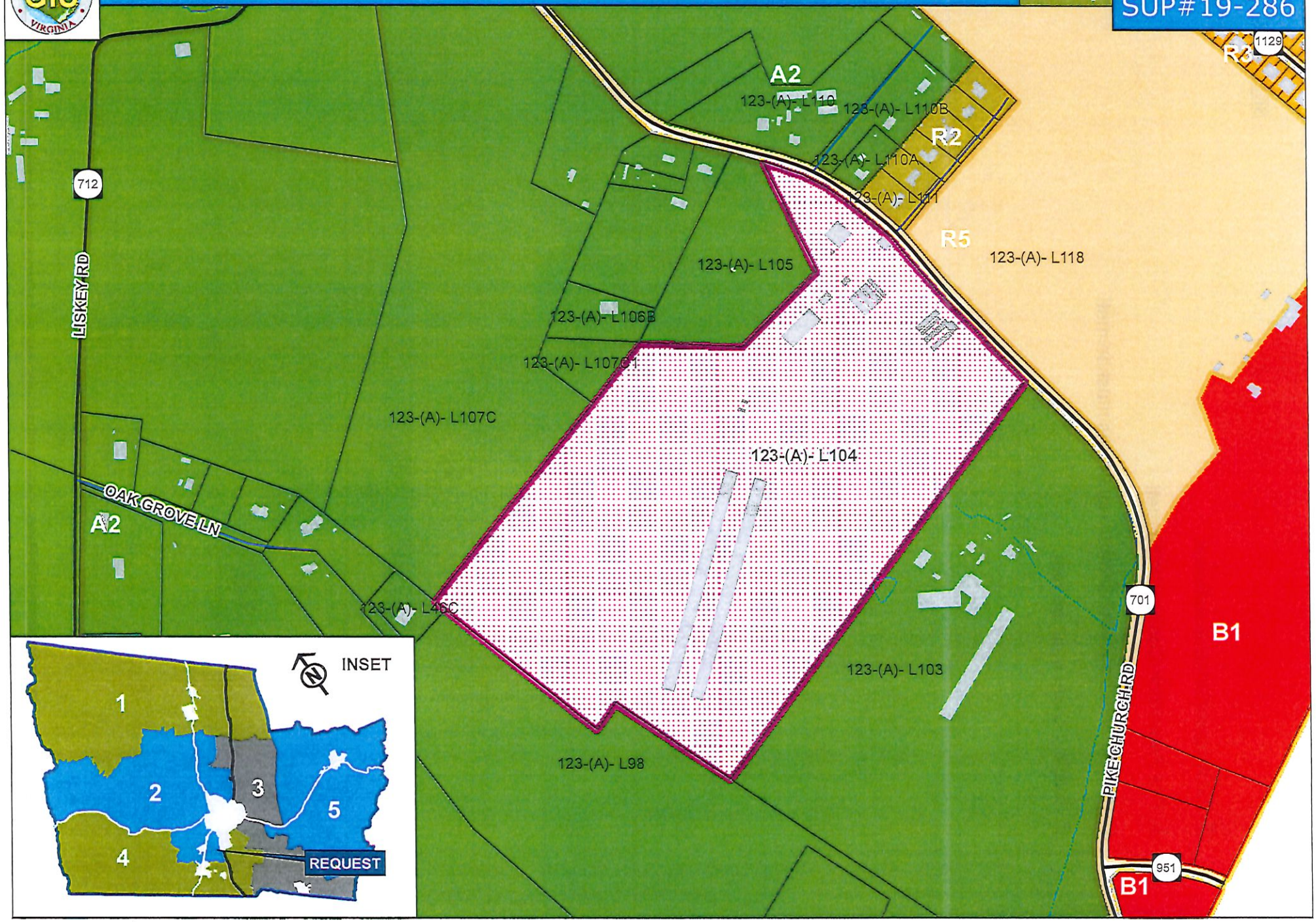
1. Health Department regulations shall be met regarding the septic.

2. Existing entrance is sufficient.
3. Fire Prevention Code must be met.
4. Erosion and Sediment Control regulations must be met.
5. Building Code must be met.

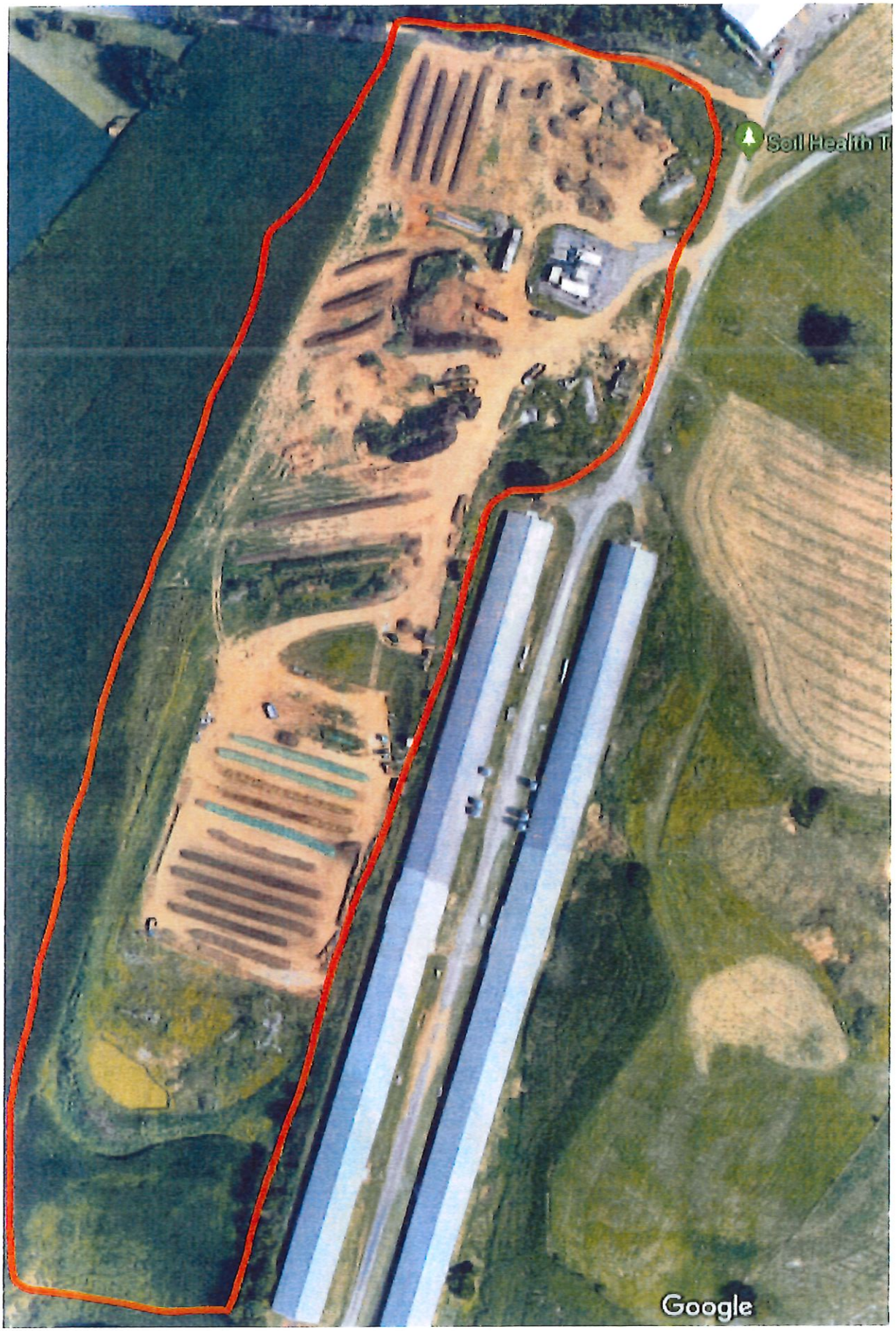
Soil Health Technologies, LLC Special Use Permit Request

1/8/2020

SUP#19-286



Red outline shows boundaries of compost site
Yellow shows access
Purple is place of proposed building site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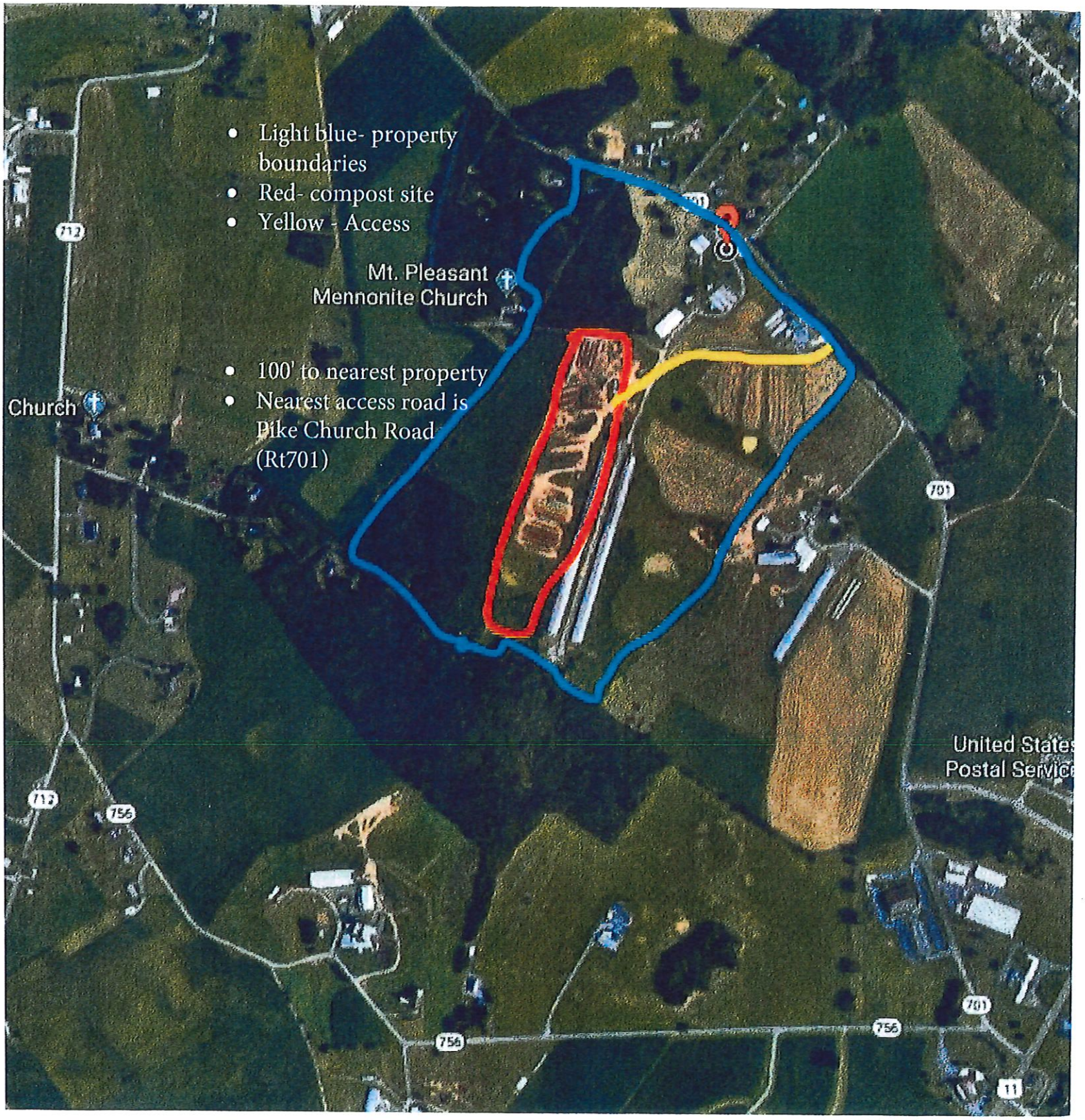
Google


Light blue- property boundaries
Red- compost site
Yellow - Access
Mt. Pleasant Mennonite Church
100' to nearest property
Nearest access road is Pike Church Road (Rt701)
Church
United States Postal Service
712
701
756
11

NOTICE OF PUBLIC HEARING AND INTENT TO ADOPT BUDGET AMENDMENT

The Rockingham County Board of Supervisors will hold a public hearing at its January 8, 2020 meeting, commencing at 6:00 p.m., at the Rockingham County Administration Center, 20 East Gay Street, Harrisonburg, Virginia, to take public comment on the following amendment which exceeds 1% of the total county budget for FY 2019-20 Budget.

GENERAL FUND BUDGET
FY 2019-20

	Adopted	Amended
Revenue:		
Local Revenue	$ 117,446,919	$ 117,446,919
State Revenue	$ 17,799,152	$ 17,799,152
Federal Revenue	$ 911,015	$ 911,015
Debt Proceeds	$ 0	$ 6,035,706
Transfer	$ 0	$ 0
Fund Reserve	$ 1,569,429	$ 1,744,372
Total Revenue	$ 137,726,515	$ 143,937,165
Expenditure:		
General Gov't	$6,800,678	$6,800,678
Judicial	$4,595,951	$4,595,951
Public Safety	$31,720,583	$31,720,583
Public Works	$2,695,245	$2,695,245
Human Services	$2,585,524	$8,621,231
Recreation	$2,872,718	$2,872,718
Community Dev	$2,963,652	$2,963,652
Other	$1,027,492	$1,027,492
Transfers	$70,213,601	$70,213,601
Debt Service	$12,251,071	$12,426,014
Total Expenditures	$137,726,515	$143,937,165

The purpose of this amendment and appropriation is to authorize the expenditure of $6,035,707 of proceeds from bonds issued by the Virginia Resources Authority for the construction and renovation of the Harrisonburg-Rockingham Community Services Board Administration and Medical Offices. The amendment also appropriates the fiscal year 2020 debt service payment on the bonds in an amount of $174,943.

Please publish in the Legal Notices section **Friday, December 27, 2019**, and send proof of publication to Trish Davidson, Director of Finance, Rockingham County Finance Department, 20 East Gay Street, Harrisonburg, Virginia 22802. Phone: 540.564.3018