



ROCKINGHAM COUNTY

BOARD OF SUPERVISORS
BRENT V. TRUMBO
SALLIE WOLFE-GARRISON
RICK L. CHANDLER
WILLIAM B. KYGER, JR.
MICHAEL A. BREEDEN

BOARD OF SUPERVISORS MEETING
August 26, 2020

6:00 P.M. CALL TO ORDER – CHAIRMAN WILLIAM B. KYGER, JR.
INVOCATION – SUPERVISOR SALLIE WOLFE-GARRISON
PLEDGE OF ALLEGIANCE – COUNTY ADMINISTRATOR STEPHEN G. KING

- 1. Approval of Minutes – Regular Meeting of August 12, 2020
2. Report – Virginia Department of Transportation – Residency Administrator Donald F. Komara
3. 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 Public Works – Philip S. Rhodes
f. Director of Community Development – Rhonda H. Cooper
4. 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

7:00 P.M. 5. Public Hearings:

a. Rezoning:

REZ20-034, Holtzman Properties, LLC., P.O. Box 8, Mt. Jackson, VA 22842. Request location: Spotswood Trail, Penn Laird, west of intersection of Lawyer Road (Rt. 655) and Spotswood Trail (U.S. 33). Request to rezone 6036 and 6072 Spotswood Trail (Tax Map Parcels 126-(A)- L81 & L82B), approximately 1.1 acres, from A-2 (General Agriculture) to B-1C (General Business with Conditions) and 6080 Spotswood Trail (Tax Map Parcel 126-(A)- L82A), approximately 0.47 acre, from B-1C to B-1C with revised conditions. Election District 5. This case was recommended by the County Planning Commission on August 4, 2020.

b. Special Use Permit:

SUP20-136 Showalter's Orchard and Greenhouse, LLC, DBA Old Hill, 17768 Honeyville Road, Timberville 22853 for recreational lodging on property located on the west side of Mechanicsville Road (Route 614) just northwest of Orchard Drive (Route 881), Election District #1, zoned A-2. Tax Map #39-(A)-159 to be attached to #28-(A)-156.

6. Unfinished Business

\*\*\* ADJOURN \*\*\*

August 12, 2020

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, August 12, 2020, at 3:00 p.m., at the Rockingham County Administration Center, Harrisonburg, Virginia. The meeting was open to the public at reduced capacity and broadcast online, to reduce the spread of COVID-19.

The following members were present:

- BRENT V. TRUMBO, 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
- CASEY B. ARMSTRONG, Assistant County Administrator
- 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
- TERRI M. PERRY, Director of Technology
- PHILIP S. RHODES, Director of Public Works
- KELLY S. GETZ, Deputy Zoning Administrator
- 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  
PLEDGE OF ALLEGIANCE  
INVOCATION.**

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

Supervisor Wolf-Garrison provided the invocation, and Administrator King led the Pledge of Allegiance.

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**APPROVAL OF MINUTES.**

On motion by Supervisor Chandler, seconded by Supervisor Trumbo, and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board approved the minutes of the regular meeting of July 15, 2020.

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**TRANSPORTATION DEPARTMENT.**

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

Concerning Interstate 81 improvements, Mr. Komara said information and updates could be found online at: [improve81.org](http://improve81.org).

LTC MERRITT ‘BUD’ WALLS MEMORIAL BRIDGE

Chairman Kyger addressed a request to memorialize the bridge over the North River in Mount Crawford in memory of LTC Merritt ‘Bud’ Walls. Chairman Kyger spoke highly of LTC Walls and his many years of service to the community.

Mr. Komara reported that the bridge is within the town of Mount Crawford. He said if the Board grants approval of the request, the request will be forwarded to the Commonwealth Transportation Board for consideration. Mr. Komara noted that any associated costs will be the responsibility of the locality.

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

**RESOLUTION  
LTC MERRITT ‘BUD’ WALLS  
MEMORIAL BRIDGE**

**WHEREAS**, the Rockingham County Board of Supervisors desires that the bridge over the North River on State Secondary Route 727, Airport Road, in Rockingham County, Virginia be memorialized as “LTC Merritt ‘Bud’ Walls Memorial Bridge” in honor of his service to the Town of Mount Crawford.

**NOW, THEREFORE, BE IT RESOLVED**, that the Rockingham County Board of Supervisors does hereby request the Commonwealth Transportation Board to designate the above mentioned bridge over the North River on State Secondary Route 727 the “LTC Merritt ‘Bud’ Walls Memorial Bridge.”

**BE IT FURTHER RESOLVED**, that Rockingham County will assume the costs for the fabrication, installation, and maintenance of signs for this naming.

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STREET ADDITIONS – OVERBROOK FARM SUBDIVISION PHASE 10

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

**RESOLUTION**

**WHEREAS**, the Overbrook Farm Subdivision Phase 10 has been completed; and

**WHEREAS**, the streets of Overbrook Farm Subdivision Phase 10 meet the public service criteria of the Secondary Street Acceptance Requirements; and

**WHEREAS**, the development sketch and VDOT Form AM 4.3, attached and incorporated herein as part of this resolution, define additions required in the Secondary System of State Highways as a result of construction; and

**WHEREAS**, certain segments identified on the incorporated Form AM 4.3 are ready to be accepted into the Secondary System of State Highways.

**NOW THEREFORE, BE IT RESOLVED**, this Board requests the Virginia Department of Transportation to add the segments identified on the incorporated Form AM 4.3 to the Secondary System of State Highways, pursuant to §33.2-705 of the *Code of Virginia*, for which segments this Board hereby guarantees the right of way to be clear and unrestricted, including any necessary easements for cuts, fills, and drainage; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation.

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STREET ADDITION TO ROUTE 926/SEGMENT ABANDONMENT OF ROUTE 917

On motion by Supervisor Trumbo, seconded by Supervisor Wolfe-Garrison, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board adopted the following resolution:

**RESOLUTION**

**WHEREAS**, a portion of Route 917 has been realigned and a new segment constructed to standards equal to the Virginia Department of Transportation's Secondary Street Acceptance Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways; and

**WHEREAS**, the Virginia Department of Transportation has inspected this street and found it to be acceptable for maintenance; and

**NOW, THEREFORE, BE IT RESOLVED** by the Rockingham County Board of Supervisors, that the old segment of Route 917 identified on the attached Form AM 4.3, is no longer needed as part of the Secondary System of State Highways, as the new road serves the same citizens as the old road, and is hereby requested to be abandoned by the Virginia Department of Transportation pursuant to §33.2-912, *Code of Virginia*, 1950 amended.

**BE IT FURTHER RESOLVED**, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the new segment of Route 926 identified on the attached Form AM 4.3 as part of the Secondary System of State Highways, pursuant to §33.2-705, *Code of Virginia*, 1950 amended, and the regulatory requirements of VDOT.

**BE IT FURTHER RESOLVED**, the Rockingham County Board of Supervisors does hereby guarantee unencumbered rights-of-way plus the necessary easements for cuts, fills, and drainage for this added segment;

**BE IT FURTHER RESOLVED**, a copy of this resolution be forwarded to the Virginia Department of Transportation.

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Supervisor Trumbo said there have been cones along the perimeter of the single-lane bridge on Early Road (Route 988) for about a month. Mr. Komara said he would find out why the cones are there and let Supervisor Trumbo know.

Supervisor Wolfe-Garrison inquired about bike and buggy lane cleaning on Erickson Avenue (Route 726) and John Wayland Highway (Route 42), and said the lanes still need attention. She also inquired if reflectors or rumble strips will be added to Route 33 West improvements, in order to designate lanes. Mr. Komara indicated the lanes will be designated, and said that rumble strips are added to all new primary roads.

Supervisor Chandler asked Mr. Komara to notify him before the traffic count occurs on Williams Road (Route 671). He reminded him to check into the possibility of adding speed bumps in Massanetta Springs near Shen Lake and look into the drainage issue in Lakewood Subdivision.

Chairman Kyger expressed appreciation to VDOT for graveling the entrance at Route 704 and South Valley Pike (Route 11). However, he said with all the truck traffic, the gravel was gone within a few days. He suggested using asphalt.

#### BLUE HOLE PROPERTY ON ROUTE 33 WEST

Chairman Kyger temporarily relinquished his position of Chair to Vice-Chair Chandler. He did so, as he stated he wanted to fully engage in discussion to address concerns of Blue Hole.

Supervisor Kyger stated that it is time for the Board to resolve the “Blue Hole” question and the issues that have surrounded the County’s ownership of that property dating back to Board discussions in 1982. He went on to explain that he recently received a phone call from a local trucking dispatcher, who said she had two truck drivers nearly hit a family unloading their vehicle at Blue Hole. Supervisor Kyger said he is aware of the significant history and beauty of Blue Hole, but emphasized that none of that is more important than a life. Mr. Kyger indicated one life was previously lost in that area of Route 33 West, which is one too many, he said.

Supervisor Kyger reviewed the history of the County’s involvement with this property as follows:

- The County’s property at Blue Hole consists of more or less 4.5 acres;
- This property was a “gift” from Bill Neff to the County in 1973, but the actual transfer did not take place until 1977;
- In 1982, the Board of Supervisors held a public hearing regarding the disposal of the property because it was an “attractive nuisance.” The Board solicited bids for the property, and after discussion on accepting the bids, the Board, upon receiving several private comments from citizens requesting that Blue Hole remain in County ownership, unanimously decided to reject all bids and retain the property;
- In 2007, the Board again discussed Blue Hole and the problems associated with the property. The Board held a Public Hearing on the matter on November 14, 2007, with trash accumulation and parking being the primary issues discussed. The consensus of the public who spoke at the hearing was for the County to retain ownership and keep the property open and accessible to the public;
- Following the tragic death of a motorcyclist in or around 2009, the Board placed “No Parking” signs along the County’s boundary on Route 33. Then County Administrator Joe Paxton offered several possible solutions for the ongoing problems at Blue Hole as follows:
  - Do nothing with the property and continue to incur costs to maintain and patrol the area, understanding that the problem will still be there;
  - Declare the property surplus and sell it. Though the property and its maintenance would switch from public to private responsibility, many of the same issues would remain;
  - Donate the property to adjoining landowners, but again, many of the issues with this property might remain and continue to burden local law enforcement;
  - Donate the property to a charitable organization or to a public trust such as the U.S. Forest Service or the Commonwealth of Virginia;
  - To seek to obtain an easement from nearby landowners to provide safe access and parking from down “in” Rawley to the swimming area. This may even require the purchase of additional land for parking;
  - Place a guardrail along U.S. 33 to prevent parking along that dangerous stretch of highway.
- In 2016, the Board was presented with a memo regarding Blue Hole from Administrator King that offered several questions, comments, and possible actions.

Supervisor Kyger stated that he did not sense a will of the Board to put forth valuable monetary resources to open Blue Hole as a full-fledged Park, and manage it as such. He said if the Board is not going to be whole in its ownership, the County should not own the property.

A new concern this particular year, from a public perception standpoint, is whether the County wants to be effectively facilitating the gathering of people, likely college students when they return. That issue alone warrants No Trespass posting before the students return, he said.

Supervisor Kyger read the following statement:

As one can well see, the Board of Supervisors, along with County staff and the public seem to have periodic discussions regarding the disposition of Blue Hole and the issues of public safety regarding this property, primarily, the parking issues associated with the lack of but one clear public access to Blue Hole. As the Supervisor that represents the area in which Blue Hole lies, I respectfully bring to the Board for action today the following to put into motion the processes by which the County can reasonably and responsibly dispose of its ownership of the Blue Hole property:

1. Ask VDOT to begin the process to add guardrail along the entire part of the County's boundary with U.S. Route 33 and until such time that the guardrail is in place, and thereafter, that the County ask VDOT to post and maintain, with County assistance, No Parking/Tow Away signs along that path; and,
2. In connection with the No Parking/Tow Away notices, the County continue to request the assistance of the Rockingham County Sheriff Department, the Virginia State Police, and the Virginia Department of Game and Inland Fisheries, to enforce the No Parking restrictions and give the authority to their officers to have any and all cars towed, at the owners expense, for violating the No Parking restrictions along U.S. Route 33; and,
3. Authorize the County Administrator, through any required procurement process, to hire a towing company to assist law enforcement and the County in the lawful management of any and all parking restrictions put into place; and,
4. The Board of Supervisors ask that all public roads in Rawley Springs proper be posted with No Parking/Tow Away signage and be treated the same as vehicles in violation of the parking restrictions along U.S. Route 33; and,
5. That the County within the next seven days, post the entire boundary of County property at Blue Hole with No Trespassing signage and request the above-mentioned law enforcement agencies to strictly enforce the No Trespass measure until otherwise notified by the Board of Supervisors; and,
6. The Board authorize the County Administrator and his staff to determine the proper division of the County's property at Blue Hole with all adjoining landowners such that the land can be "Gifted" and titled to such landowners at no expense to them; and,
7. If there are no adjoining landowners who wish to accept the County's offer of a gift, that the County's property remain posted indefinitely and thus remain closed to the public until such time, that a reasonable and responsible solution can be found to provide for the public's health and safety to and from the property, and while visiting and using this property.

Mr. Chairman, I bring this in the form of a motion.

Supervisor Breeden seconded the motion.

Supervisor Trumbo asked if the County had ever offered the property to the City for incorporation to Riven Rock Park. Mr. Trumbo said he would personally like the County to offer the property to the City before initiating step #6 and #7 listed above. He agreed that the safety issues need to be dealt with immediately, but said what happens to the property in the best interest of the community is the issue.

Staff could not recollect a time the property was ever offered to the City. Supervisor Kyger said he had no opposition to the suggestion, but pointed out that right-of-way would still need to be obtained for safe access. He said the County has been unsuccessful in obtaining right-of-way to the property in the past in order to provide safe parking and access other than U.S. Route 33.

Supervisor Wolfe-Garrison asked whether the Sheriff's Department had the capacity to enforce the safety recommendations presented.

Sheriff Hutcheson said the Sheriff's Department will do the best they can. He indicated there is increased enforcement at certain times already. In his opinion, engineering scenarios on U.S. Route 33 could be a problem versus enforcement. He explained that guardrail was considered in the past, which can create hazards for stalled vehicles and problems during snow removal.

Vice-Chairman Chandler said in his opinion, the County should not own the property and should have never owned the property.

Discussion ensued. Supervisor Trumbo recommended including the City in negotiations prior to negotiations with adjoining landowners. His recommendation was accepted as a friendly amendment to Supervisor Kyger's motion.

Carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board directed staff to proceed with the following actions:

1. Ask VDOT to begin the process to add guardrail along the entire part of the County's boundary with U.S. Route 33 and until such time that the guardrail is in place, and thereafter, that the County ask VDOT to post and maintain, with County assistance, No Parking/Tow Away signs along that path; and,
2. In connection with the No Parking/Tow Away notices, request the assistance of the Rockingham County Sheriff's Department, the Virginia State Police, and the Virginia Department of Game and Inland Fisheries, to enforce the No Parking restrictions and give the authority to their officers to have any and all cars towed, at the owners expense, for violating the No Parking restrictions along U.S. Route 33; and,
3. Through proper procurement process, hire a towing company to assist law enforcement and the County in the lawful management of any and all parking restrictions put into place; and,
4. Post all public roads in Rawley Springs proper with No Parking/Tow Away signage and treat them the same as vehicles in violation of the parking restrictions along U.S. Route 33; and,
5. Within the next seven days, post the entire boundary of County property at Blue Hole with No Trespassing signage and request the above mentioned law enforcement agencies to strictly enforce the No Trespass measure until otherwise notified by the Board of Supervisors; and,
6. Determine the proper division of the County's property at Blue Hole, beginning with the City of Harrisonburg, and then with all adjoining landowners such that the land can be "Gifted" and titled to such at no expense to them; and,
7. If the City or no adjoining landowners wish to accept the County's offer of a gift, that the County's property remain posted indefinitely and thus remain closed to the public until such time that a reasonable and responsible solution can be found to provide for the public's health and safety to and from the property, and while visiting and using this property.

**COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Ms. Cooper's staff report dated August 12, 2020.

Ms. Cooper recalled two Revenue Sharing applications, which the Board approved by a Resolution of Support on September 11, 2019. She said it is the recommendation of staff to rescind the Resolution withdrawing both applications.

Ms. Cooper explained that Revenue Sharing Project #5786, VA 253/VA276 Turn Lanes, would require a County commitment of \$750,000, if awarded. The expenditure of these funds would begin as early as 2021 and as late as 2023. Due to the high expense in uncertain times and a preference to use Revenue Sharing for secondary road projects, staff recommended withdrawing the application and applying for Smart Scale funds in 2021. Smart Scale funds do not require a match from the County.

Concerning Revenue Sharing Project #5790, Lake Shenandoah Watershed Culvert Improvements, Ms. Cooper reported that following further engineering study by the Timmons Group, the construction of the stormwater basin near Taylor Spring Lane is expected to eliminate the need for the downstream improvements proposed in the project. If this grant were awarded, the County's financial commitment would be \$805,000.

Supervisor Chandler recommended proceeding with the VA253/VA276 project. He explained that the project will address an on-going safety issue and he does not want to take a chance of delaying the improvements further. Supervisor Chandler agreed to withdraw the Lake Shenandoah Watershed Culvert Improvements, since the construction of a stormwater basin will eliminate the need.

On motion by Supervisor Chandler, seconded by Supervisor Breeden, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board withdrew the Revenue Sharing Resolution of Support dated September 11, 2019, and authorized staff to submit the following Resolution of support using facsimile signatures:

**RESOLUTION  
ENDORING THE SUBMISSION OF VDOT REVENUE SHARING  
APPLICATION**

WHEREAS, the Board of Supervisors of Rockingham County has further reviewed the two Revenue Sharing applications endorsed by resolution on September 11, 2019; and

WHEREAS, the County remains committed to provide \$750,000 for Revenue Sharing Project #5786, VA 276 Cross Keys Road at VA 253 Port Republic Road Left Turn Lanes Installation, if awarded; and

WHEREAS, recent engineering conducted on behalf of the Lake Shenandoah Stormwater Control Authority has determined that a regional stormwater basin negates the need for Revenue Sharing Project #5790, Lake Shenandoah Watershed Culvert and Crossing Improvements (along Baybrook Drive, Berryfield Drive, and Shen Lake Drive).

NOW, THEREFORE, BE IT RESOLVED, that the County desires to retain its interest in Revenue Sharing Project #5786, while releasing Revenue Sharing Project #5790 from consideration by the Commonwealth Transportation Board.

BE IT FURTHER RESOLVED that the Board of Supervisors of Rockingham County hereby restates the granting of authority for the County Administrator, or his designee, to execute all agreements and/or addendums for any approved revenue sharing project with the Virginia Department of Transportation.

**TREASURER'S ANNUAL REPORT.**

L. Todd Garber, Treasurer, presented the Board with a report of the County's annual tax collections, along with a summary of uncollectible and delinquent taxes. He reported that overall, the County had a very good year for collections. He said the first part of the year was a little challenging, with offices being closed from mid-March to June, but staff stepped up and handled business through phone and drop box transactions. Mr. Garber brought attention to page five of his report. As of June 30, 2020, 96.92 percent of real estate taxes due June 5, 2020 were collected. Mr. Garber pointed out that this is the highest collection percentage for the first half of the year in over 25 years.

Mr. Garber directed the Board's attention to the following tax collection reports:

In 2019, taxes collected were as follows:

	<b>ASSESSED</b>	<b>PERCENTAGE COLLECTED</b>
Real Estate & P.S. (1 <sup>st</sup> half)	\$ 30,386,245	98.82%
Real Estate & P.S. (2 <sup>nd</sup> half)	\$ 30,944,113	98.59%
Personal Property	\$ 23,740,368	98.46%
Public Service Personal Property	\$ 39,273	100.00%
Machinery & Tools	\$ 11,838,970	99.85%
Merchants Capital	\$ 1,497,691	99.49%
Mobile Homes	\$ 188,381	90.67%
Agriculture Equipment	\$ 539,795	99.35%
Late Filing Fees	\$ 137,148	95.50%
Recreational Vehicles	\$ 189,225	98.06%
Vehicle License Fees	\$ 1,372,734	96.28%
Aircraft	\$ 28,100	100.00%

**TAX COLLECTION REPORT**

As of June 30, 2020

**REAL ESTATE**

<b><u>Tax Year</u></b>	<b><u>Levy</u></b>	<b><u>Collected</u></b>	<b><u>Percentage Collected</u></b>
2019	\$ 61,330,358	\$ 60,536,048	98.70%
2018	\$ 60,064,818	\$ 59,582,064	99.20%
2017	\$ 57,914,444	\$ 57,681,723	99.60%
2016	\$ 54,021,558	\$ 53,987,031	99.77%
2015	\$ 50,942,504	\$ 50,858,709	99.84%
2014	\$ 47,708,894	\$ 47,647,502	99.87%
2013	\$ 46,936,670	\$ 46,886,747	99.89%
2012	\$ 46,482,372	\$ 46,440,399	99.91%
2011	\$ 43,079,159	\$ 43,044,949	99.92%
2010	\$ 42,681,849	\$ 42,656,249	99.94%
2009	\$ 40,521,624	\$ 40,502,355	99.95%
2008	\$ 39,673,316	\$ 39,657,851	99.96%
2007	\$ 37,034,243	\$ 37,021,733	99.97%
2006	\$ 35,745,399	\$ 35,734,748	99.97%
2005	\$ 29,946,179	\$ 29,939,942	99.98%
2004	\$ 28,868,123	\$ 28,861,616	99.98%
2003	\$ 28,107,841	\$ 28,101,860	99.98%
2002	\$ 27,256,839	\$ 27,253,037	99.99%
2001	\$ 23,851,274	\$ 23,846,962	99.98%

**PERSONAL PROPERTY**

<u>Tax Year</u>	<u>Levy</u>	<u>Collected</u>	<u>Percentage Collected</u>
2019	\$ 38,061,803	\$ 37,645,761	98.91%
2018	\$ 36,454,092	\$ 36,306,834	99.60%
2017	\$ 34,004,185	\$ 33,865,795	99.59%
2016	\$ 31,632,341	\$ 31,528,080	99.67%
2015	\$ 29,400,312	\$ 29,291,677	99.63%

Mr. Garber noted that the Treasurer’s Office collection policy has remained the same over the last several years, using the same forms of collections such as letters, DMV stops, collecting setoff debt from tax returns and phone calls. He reviewed delinquent real estate sale figures and discussed upcoming MUNIS software implementation for real estate and personal property.

In closing, Mr. Garber expressed appreciation to the Board, thanked them for their continued support, and requested acceptance of the report.

On motion by Supervisor Breeden, seconded by Supervisor Chandler, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO; AYE; WOLFE-GARRISON – AYE; the Board accepted the Treasurer’s Annual Report of Tax Collections, and Uncollectible and Delinquent Taxes.

**PERSONAL PROPERTY TAX RELIEF.**

Mr. Garber reported that the state provides the County \$5.8 million each year to provide tax relief for personal vehicles on personal property. The County must determine how to split the \$5.8 between all qualifying personal vehicles. After analyzing the Personal Property Tax relief numbers for 2019 and comparing them to past years’ results, it is staff’s recommendation to use 44 percent as the Personal Property Tax Relief percentage for 2020.

On motion by Supervisor Chandler, seconded by Supervisor Trumbo, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board set the Personal Property Tax Relief percentage for 2020 at 44 percent.

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**HUMAN RESOURCE DIRECTOR’S STAFF REPORT.**

The Board received and reviewed Mrs. Mongold’s staff report dated August 12, 2020.

Mrs. Mongold brought attention to the Infectious Disease Preparedness and Response Plan Standards attached to her staff report. She explained that the Virginia Department of Labor and Industry (DOLI) approved Emergency Temporary Standards for Infectious Disease Prevention due to COVID-19; and is requiring all Virginia employers to meet the requirements of the standard. Mrs. Mongold briefly reviewed the standards and reported that they have been thoroughly vetted.

On motion by Supervisor Chandler, seconded by Supervisor Trumbo, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board adopted the Virginia OSHA COVID-19 Infectious Disease Preparedness and Response Plan Emergency Temporary Standards 16VAC25-220.

*(The Virginia OSHA COVID-19 Infectious Disease Preparedness and Response Plan Emergency Temporary Standards 16VAC25-220 are attached to and made a part of these minutes)*

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**COUNTY ADMINISTRATOR'S STAFF REPORT.**

The Board received and reviewed Administrator King's staff report dated August 7, 2020.

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**ASSISTANT COUNTY ADMINISTRATOR'S STAFF REPORT.**

The Board received and reviewed Mr. Armstrong's staff report dated August 12, 2020.

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**FINANCE DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mrs. Davidson's staff report dated August 12, 2020.

Mrs. Davidson reported that the Economic Development Authority and the Small Business Grant Review Team recommended a second round of small business grants. She indicated the details along with revised eligibility criteria are included in the Finance staff report.

Second, she recommended an update to the Financial Policy of the County to include a section for Non-Tax Receivable Accounts. The new section in the Policy outlines when and how non-tax receivables can be written off if proven uncollectible.

On motion by Supervisor Breeden, seconded by Supervisor Wolfe-Garrison, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board adopted the Financial Policy revisions as presented.

*(A copy of the revised Financial Policy is attached to and made a part of these minutes)*

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Mrs. Davidson mentioned the transfer of the Harrisonburg-Rockingham Social Services District's (HRSSD) Transportation Program to Valley Program for Aging Services (VPAS). Director of Social Services, Celest Williams, is working with VPAS to have the entire program transferred over by October 1. Mrs. Davidson said the transfer will be a budgetary savings for the County, but more importantly, it will be an improvement to the services provided. The County has not provided transportation services since March and the current transportation program employees are in the process of retiring. Mrs. Davidson indicated that the program needs more attention than HRSSD is able to provide. The term of the agreement is for five-years at \$75,000. Finance Director Davidson pointed out those funds are completely separate from any contributions the County provides to non-profit agencies. Administrator King noted that the County will retain the vehicles previously used by HRSSD for the Program.

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**PUBLIC WORKS DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mr. Rhodes' staff report dated August 12, 2020.

Mr. Rhodes reported that staff requested and received approval in the current budget to purchase a new water-truck for the landfill. Staff only found one cooperative procurement source for the purchase, which was received from Hydroforce, Inc. Staff researched other purchasing options but were unsuccessful and recommended purchase of a Peterbilt Water-truck from Hydroforce, Inc. for \$138,308.46.

It was noted that the purchase will be funded by landfill tipping fees.

On behalf of the Public Works Committee, on motion by Supervisor Chandler, seconded by Supervisor Wolfe-Garrison, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board authorized staff to proceed with the purchase of a Peterbilt Water-truck from Hydroforce Inc., for \$138,308.46.

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**TECHNOLOGY DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mrs. Perry's staff report dated August 2020.

Administrator King reported that staff has been talking with local broadband providers. He indicated some of those activities are in the queue to happen regardless of whether local funds are involved or not. He said it is the opinion of staff to allow further broadband discussions to continue at its own momentum. He said specific questions can be directed to Mrs. Perry.

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**FIRE AND RESCUE CHIEF'S STAFF REPORT.**

The Board received and reviewed Chief Holloway's staff report dated August 2020.

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**PARKS AND RECREATION DIRECTOR'S STAFF REPORT.**

The Board received and reviewed Mr. Dean's staff report dated August 5, 2020.

Mr. Dean reported that he received a request from Rockingham County Public Schools (RCPS), asking Parks and Recreation staff to oversee a childcare program for County teachers with school-age children in grades two through five. He said the proposed program would be facilitated at each County high school, and would be supplemented with at least ten RCPS staff members at each location. The program would be self-funded, through fees charged to the parent/employee.

Supervisor Chandler asked for clarification as to why the County would be involved if Schools were providing the facilities and staff. Mr. Dean indicated that County staff would essentially be organizing and overseeing the details of the program.

In response to several questions, Mr. Dean said he currently only has five full-time staff members available for the childcare program. If the County offered this type of program to the public, it would only be able to serve twenty children. By collaborating with Schools, the program could potentially serve up to 200 children, he said.

Mr. Dean explained that Parks and Recreation staff will still offer the Afterschool Program at nine Elementary Schools, as they always have. Currently, the Afterschool Program will serve Pre-K through first grade, as those are the only grades attending in-person classes at this time.

Administrator King noted that if the program is approved, it could potentially be made available to County employees if space allows.

Chairman Kyger said questions will come up regarding the County offering a childcare program for its employees versus for the public. He stated that the private sector has a responsibility to their employees, just as the County has to its employees.

Supervisor Wolfe-Garrison clarified that teachers are not County employees; rather they are employees of Rockingham County Public Schools. She said it should be made

clear that decisions made concerning education do not lie with the Board of Supervisors. Supervisor Wolfe-Garrison stated that if the County has such responsibility to its employees, then the program should be offered to County employees in the manner it is proposed to be offered to teachers. She inquired about the application process and asked how staff will determine who is accepted.

Mr. Dean said the application process would occur in the same manner as other County-wide programs offered by Parks and Recreation. As with other programs, it is impossible to please everyone, he said. He stated that he believes providing services the highest number of kids possible is the best outcome.

Supervisor Wolfe-Garrison asked what the estimated fee will be. Mr. Dean said staff estimated a total program cost and applied a projected fee based on the lowest possible enrollment figures. He said, with that scenario, the cost to run the program would be covered entirely. Additionally, Mr. Dean reported that Assistant Superintendent of Schools Doug Alderfer said Schools will cover any shortfalls.

In response to Supervisor Wolfe-Garrison’s question concerning the County’s liability to protect children and ensure social distancing, County Attorney Miller indicated the liability is no different from that of the After School Program.

Supervisor Breeden said he can see where the private sector may be critical of a program offered solely to County employees, but said he is looking at the best possible outcome, and working with Schools will provide services to 200 students versus 20.

Discussion ensued. Chairman Kyger called for a motion.

On motion by Supervisor Breeden, seconded by Supervisor Trumbo, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board authorized staff to proceed with a Childcare Program in collaboration with Rockingham County Schools (RCPS), offering childcare to County-wide employees for children in grades two through five.

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**RECESS.**

Chairman Kyger recessed the meeting at 5:18 p.m., for a meeting of the Lilly Subdivision Sanitary District.

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**PUBLIC HEARING – SPECIAL USE PERMITS.**

Chairman Kyger reconvened the regular meeting of the Board of Supervisors at 6:00 p.m., and opened the public hearing. Deputy Zoning Administrator Getz reviewed the following requests for special use permits:

- SUP20-061 Justin L. Rodes, 5853 Lawyer Road, Port Republic 24471 for a 2000' x 90' private grass airstrip with a 40' x 20' hangar on property located on the east side of Lawyer Road (Route 655) approximately 1/2 mile east of Lynnwood Road (Route 708), Election District #5, zoned A-1. Tax Map #153-(A)-111. Property address: 5477 Holstein Lane.

The applicant was present.

No one spoke in opposition to the request.

In response to a question from Supervisor Breeden, the applicant indicated that the landing approach to the airstrip would be open in both directions.

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SUP20-096 JJCarmen, LC by John Monger, 700 Imboden Road, Mt. Crawford 22841 for second residence on property located on the east side of Imboden Road (Route 990) approximately 1 mile east of Lee Highway (Route 11), Election District #4, zoned A-1. Tax Map #137-(A)-107. Property address: 1242 Imboden Road.

Mr. John Monger was present and available to answer questions.

No one spoke in opposition to the request.

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SUP20-098 Matthew Koch, 4888 Foothills Lane, Keezletown 22832 for a small contractor's business on property located on the east side of Foothills Lane (private) approximately 1/2 mile south of Mini Ball Lane (Route 718), Election District #3, zoned A-2. Tax Map #111-(A)-102.

The applicant was present.

Paul Hutcheson asked if there will be a screening requirement to prevent visibility from the road.

The applicant responded, and indicated screening would be put in place.

Mr. Getz pointed out that a screening requirement could be added as a condition of the special use permit, if the Board desired.

Attorney Michael Sharp spoke in opposition to the request and asked for denial on behalf of Pierrick LeGoff (4717 Foothills Lane). Mr. Sharp indicated that Mr. LeGoff's property is directly across the street from the property in question. Mr. Sharp provided the Board with signatures and a letter of opposition. He stated that the proposed use is not compatible with existing neighborhood land uses and said that it would be detrimental to the nature and character of the neighborhood. Ten residences are on Foothills Lane and the road is used for residential use only. Twelve children are in the neighborhood and increased traffic is of concern. There is currently traffic coming in out of the facility, and visible heavy machinery and equipment. The operation is not consistent with the residential use of surrounding land. He stated that, if approved, the Board will open a door for further commercial activity in a residential neighborhood.

Bob Brown and Bryan Bosesly, both residents of Foothills Lane, also spoke in opposition to the request citing similar concerns as Mr. Sharp's client.

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Chairman Kyger closed the public hearing at 6:20 p.m., and reconvened the regular meeting for consideration of the requests.

SUP20-061 JUSTIN L. RHODES

On motion by Supervisor Breeden, seconded by Supervisor Chandler, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board, subject to the following conditions, approved SUP20-061 Justin L. Rodes, 5853 Lawyer Road, Port Republic 24471 for a 2000' x 90' private grass airstrip with a 40' x 20' hangar on property located on the east side of Lawyer Road (Route 655) approximately 1/2 mile east of Lynnwood Road (Route 708), Election District #5, zoned A-1. Tax Map #153-(A)-111. Property address: 5477 Holstein Lane.

Conditions:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Hangar 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. Site plan requirements shall be met.

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SUP20-096 JJCARMEN, LC BY JOHN MONGER

On behalf of Chairman Kyger, on motion by Supervisor Chandler, seconded by Supervisor Trumbo, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board, subject to the following conditions, approved SUP20-096 JJCarmen, LC by John Monger, 700 Imboden Road, Mt. Crawford 22841 for second residence on property located on the east side of Imboden Road (Route 990) approximately 1 mile east of Lee Highway (Route 11), Election District #4, zoned A-1, Tax Map #137-(A)-107. Property address: 1242 Imboden Road.

Conditions:

1. Use shall be located in substantial accordance to plot plan submitted with the application.
2. Residence shall comply with the Statewide Building Code.
3. Residence shall not be occupied until a certificate of occupancy is issued.

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SUP20-098 MATTHEW KOCH

Supervisor Chandler expressed his intent to table the request to allow time to look into several questions and concerns raised during the public hearing.

On motion by Supervisor Chandler, seconded by Supervisor Trumbo, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board tabled SUP20-098 Matthew Koch, 4888 Foothills Lane, Keezletown 22832 for a small contractor’s business on property located on the east side of Foothills Lane (private) approximately 1/2 mile south of Mini Ball Lane (Route 718), Election District #3, zoned A-2. Tax Map #111-(A)-102.

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**PUBLIC HEARING – RESOLUTION ESTABLISHING THE MASSANUTTEN WATER AND SEWER AUTHORITY.**

Chairman Kyger reconvened the regular meeting at 6:25 p.m., and County Attorney Miller reviewed a proposed resolution to establish the Massanutten Water and Sewer Authority.

Mr. Miller explained that the purpose of the Authority is to own, operate, and maintain a water and sewer system, for the area known as the Massanutten community, currently served by the Massanutten Public Service Corporation.

Mr. Miller said it is prudent to state that there are absolutely no promises as to what would happen to fees if the Authority is established and acquires ownership. County staff reasonably believe there will be cost savings, but do not know for sure. Mr. Miller said there is a very complex corporate structure above Massanutten Public Service Corporation, and every level of that structure has to be fed. The Authority would eliminate that structure and County staff would perform most of the work. It was noted that the County issued a Request for Proposals seeking engineering firms to determine what infrastructure exists, its value, and what capital improvements are necessary.

Supervisor Breeden pointed out that the Massanutten Property Owner's Association (MPOA) approached the County for assistance.

Supervisor Wolfe-Garrison asked if the County has the capacity to absorb the work. Administrator King indicated the County would employ individuals to do the work, in the same way the Public Works Department does for the County's other water and sewer systems.

Chairman Kyger opened the floor for comment.

Elizabeth Walker, President of the MPOA Board of Directors, expressed appreciation to Supervisor Breeden for his time and understanding. She stated that the MPOA Board endorses the formation of the Authority and looks forward to the next step in the process.

Orris Hambleton, Massanutten resident and MPOA Board member, applauded the Board for its consideration of establishing the Authority. He said this will be a great benefit to Massanutten residents.

Basil Hangemanole spoke in favor of forming the Authority, stating that Massanutten residents will save a lot of money. He explained that continually going before the State Corporation Commission to fight rate increases has been costly. He looks forward to improvements.

Garrett Smith, General Counsel for the Developer of Massanutten Resort, said the Resort has suffered under current management. On behalf of his clients, he applauded the County's decision to consider creation of the Authority, stating that it could help the entire community.

Ann Connors voiced her support. She said the MPOA has tried to help, but she felt like the Massanutten community never really had an advocate. She expressed sincere appreciation to the Board for their consideration of the Authority.

Chairman Kyger closed the public hearing at 6:46 p.m.

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On motion by Supervisor Breeden, seconded by Supervisor Chandler, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board adopted the following Resolution establishing the Massanutten Water and Sewer Authority:

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF ROCKINGHAM  
COUNTY, VIRGINIA, TO CREATE  
THE  
MASSANUTTEN WATER AND SEWER AUTHORITY**

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

**Section One:** The Board of Supervisors of Rockingham County, Virginia, hereby creates an Authority, a public body politic and corporate and a political subdivision of the Commonwealth of Virginia, under the provisions of the Virginia Water and Waste Authorities Act, as amended (Title 15.2, Chapter 51, Article 1 through Article 5, both inclusive, of the Code of Virginia, 1950, as amended) (the “Act”) for the purpose of providing for the acquisition, construction, operation and maintenance of a water system and a sewer system as authorized by the Act, and for the purpose of exercising all of the powers conferred by the Act, and any subsequent amendments to the Act, in relation to the foregoing, including, but not limited to, the issuance of debt and the establishment and charging of rates and fees.

**Section Two:** The following Articles of Incorporation for the Authority are hereby adopted:

ARTICLES OF INCORPORATION  
OF THE  
MASSANUTTEN WATER AND SEWER AUTHORITY

In compliance with the Virginia Water and Waste Authorities Act, as amended, (Title 15.2, Chapter 51, Articles 1 through 5, both inclusive, of the Code of Virginia, 1950, as amended) the Board of Supervisors of Rockingham County, pursuant to a resolution duly adopted signifying its intention to form this Authority, does hereby certify:

- I. The name of the Authority shall be the **MASSANUTTEN WATER AND SEWER AUTHORITY**, and the address of its principal office shall be 20 East Gay Street, Harrisonburg, Virginia, 22802.
- II. The name of the incorporating locality is Rockingham County, Virginia, and the members of the Authority Board shall be composed of the then current members of the Board of Supervisors of Rockingham County, Virginia, and the names and addresses of the first members of the Authority Board are as follows:

NAME OF MEMBER	ADDRESS	ELECTION DISTRICT
Brent V. Trumbo	10877 Harpine Highway Broadway, VA 22815	District #1
Sallie Wolfe-Garrison	1393 Cooks Creek Road Rockingham, VA 22802	District #2
Rick L. Chandler	Post Office Box 174 Port Republic, VA 24471	District #3
William B. Kyger	6710 Vista Heights Road Bridgewater, VA 22812	District #4
Michael A. Breeden	1716 Breeden Circle Elkton, VA 22827	District #5

All Board Members shall serve during the term of their membership on the Board of Supervisors of Rockingham County, which Members shall be deemed elected to the Authority Board upon their election to the Board of Supervisors. All Members

of the Authority Board shall hold office until their successors have been duly elected and qualified and may succeed themselves. The terms of office of the first Members of the Authority Board shall begin on the date of the Certificate of Incorporation issued by the State Corporation Commission.

- III. The purposes for which the Authority is created are: the acquisition, construction, operation and maintenance of a water system and a sewer system, including but not limited to transporting, treatment and disposal, for the area known of as the Massanutten community, and currently served by the Massanutten Public Service Corporation, a copy of a map of such area may be inspected on the County's website and at the office of the County Administrator of Rockingham County, Virginia, at 20 East Gay Street, Harrisonburg, Virginia, and for the purpose of exercising all of the powers conferred by the Virginia Water and Waste Authorities Act, as amended, in relation to the foregoing, including, but not limited to, the issuance of debt and the establishment and charging of rates and fees.

The area included within the Massanutten Water and Sewer System is generally and approximately described in the following narrative:

The Massanutten Water and Sewer System will encompass all areas currently within the service area of the Massanutten Public Service Corporation on Massanutten Mountain.

- IV. In compliance with Section 15.2-5103 of the Code of Virginia, 1950, as amended, the Board of Supervisors hereby makes the finding that it is not practicable to estimate the costs of operation and maintenance at this time. Many factors are yet to be determined by the Board of the Authority after consultation with engineers.

Nevertheless, it can be stated that the major capital costs will be the cost of acquiring the personal and real property, including easements, owned and used by the Massanutten Public Service Corporation, plus the cost of capital repair and replacement of the existing systems, which the Board of Supervisors believes will be significant.

IN WITNESS WHEREOF, the Board of Supervisors of Rockingham County, Virginia, have caused these Articles of Incorporation to be executed in its name by William B. Kyger, Jr., its Chairman, as thereunto duly authorized.

This 12th day of August, 2020.

BOARD OF SUPERVISORS OF ROCKINGHAM COUNTY, VIRGINIA

**Section Three:** The Articles of Incorporation shall be executed on behalf of the Board of Supervisors of Rockingham County, Virginia, by the Chairman of the Board of Supervisors, and attested by the County Administrator, and the Chairman and county staff are hereby authorized, empowered and directed to do all things necessary and appropriate to cause the Authority to be created under the provisions of the Act.

**Section Four:** As required by Section 15.2-5104 of the Code of Virginia, 1950, as amended, a Public Hearing was held at 6:00 p.m., on the 12th day of August, 2020, in the Board of Supervisors' Meeting Room at the County Administration Center, 20 East Gay Street, Harrisonburg, Virginia.

**Section Five:** A copy of this resolution was published, as required by Section 15.2-5104 of the Code of Virginia, 1950, as amended, one time at least thirty (30) days prior to the date of the aforesaid public hearing in the Daily News Record, a newspaper of general circulation in Rockingham County, Virginia, together with the notice of publication, in substantially the above form.

**Section Six:** Following the aforesaid public hearing, or any adjournment thereof, and adoption of this Resolution by the Board of Supervisors, no referendum having been called as provided by State Law, the county staff shall cause to be filed with the State

Corporation Commission the Articles of Incorporation of the Massanutten Water and Sewer Authority, together with the proof of publication of this resolution. Also, immediately following such public hearing, or any adjournment thereof, the Clerk of the Board of Supervisors shall furnish the State Corporation Commission with a record of the proceedings in such hearing and the adoption of this Resolution and the State Corporation Commission shall be formally requested to act upon the issuance of a Certificate of Incorporation for the Massanutten Water and Sewer Authority.

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**RECESS.**

Chairman Kyger recessed the meeting at 6:48 p.m., for a meeting of the Lake Shenandoah Stormwater Control Authority.

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**JOINT MEETING OF THE ROCKINGHAM COUNTY BOARD OF SUPERVISORS AND THE BOARD OF THE LAKE SHENANDOAH STORMWATER CONTROL AUTHORITY.**

Chairman Kyger called the meeting to order at 7:45 p.m.

County Attorney Miller reviewed a resolution authorizing the terms of the issuance of debt to be borrowed from the County’s Water and Sewer Fund.

On motion by Supervisor Chandler, seconded by Supervisor Trumbo, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board of Supervisors adopted the following Joint Resolution and Supplemental Appropriation:

**JOINT RESOLUTION OF THE  
ROCKINGHAM COUNTY, VIRGINIA,  
BOARD OF SUPERVISORS  
AND THE  
BOARD OF THE  
LAKE SHENANDOAH STORMWATER CONTROL AUTHORITY  
AUTHORIZING, AND AGREEING TO THE TERMS OF,  
THE ISSUANCE OF DEBT  
IN THE AMOUNT OF \$2,850,000  
TO BE BORROWED FROM  
THE COUNTY WATER AND SEWER FUND**

WHEREAS, pursuant to Chapter 51, Title 15.2 of the Code of Virginia, 1950, as amended (the Act), the Lake Shenandoah Stormwater Control Authority (the Authority) is empowered to acquire, purchase, lease as lessee, construct, reconstruct, improve, extend, operate and maintain a stormwater control system; to acquire by gift, purchase or the exercise of the right of eminent domain lands or rights in lands or water rights in connection therewith; sell, lease as lessor, transfer or dispose of all or any part of any property, real, personal or mixed, or interest therein; to borrow at such rates of interest as authorized by general law and as the Authority may determine and issue its note, bonds or other obligations therefor; and to issue revenue obligations of the Authority, such obligations to be payable solely from the revenues to pay all or a part of the cost of the system; and

WHEREAS, Rockingham County, Virginia (the County), may lend, advance or give money to the Authority; and

WHEREAS, the Authority needs and desires financial assistance to provide financing for the costs to acquire, construct and equip the real and personal property for its stormwater control system to provide for stormwater mitigation in the Lake Shenandoah watershed (the Project); and

WHEREAS, a portion of the real estate that is to be purchased by the Authority for the Project can be put to the dual use of park land and open space for the benefit of all County residents, and the County is willing to take on a portion of the cost of acquisition of the real estate that can be used as park land and open space, and eventually the cost of development and maintenance of any park features decided upon in the future; and

WHEREAS, the County is willing to authorize up to a total of Two Million Eight Hundred Fifty Thousand and no/100 Dollars (\$2,850,000.00) from the Water and Sewer enterprise Fund (the Water and Sewer Fund) to be loaned to the Authority and to the County Capital Project Fund (the Capital Project Fund) for the purposes set forth in this Joint Resolution, such loan to be repaid by the Authority and from the Capital Project Fund under the terms and conditions set forth in the following paragraphs.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Rockingham County, Virginia, and the Board of Directors of the Lake Shenandoah Stormwater Control Authority:

1. It is hereby determined to be necessary and expedient for the Authority and the Capital Project Fund to borrow from the Water and Sewer Fund the aggregate principal amount of Two Million Eight Hundred Fifty Thousand and no/100 Dollars (\$2,850,000.00) to be used together with other lawfully available funds, to provide permanent financing for the Project and the acquisition of real estate for park land and open space.
2. Pursuant to the Act, County staff is hereby authorized to loan to the Authority from the Water and Sewer Fund, and the Authority is hereby authorized to borrow from the water and Sewer Fund, the amount of One Million Nine Hundred Twenty-five Thousand and no/100 Dollars (\$1,925,000.00), for the Project as described in this Authorizing Resolution.
3. Pursuant to the Act, County staff is hereby authorized to loan from the Water and Sewer Fund to the Capital Project Fund, and the Capital Project Fund is hereby authorized to borrow from the Water and Sewer Fund, the amount of Nine Hundred Twenty-five Thousand and no/100 Dollars (\$925,000.00), for the purposes as described in this Authorizing Resolution.
4. The term of both loans shall be ten (10) years, at three percent (3%) interest per annum, amortized, with 9 equal annual payments of \$225,668.73 and a final payment of \$219,095.85 for the Authority; and 9 equal annual payments of \$108,438.22 and a final payment of \$105,279.82 for the Capital Project Fund.
5. Installments of principal due on the loans may be prepaid at the option of the borrower at any time, in whole or in part, from time to time. Prepayment of installments of principal shall not affect the obligation of the Authority or the Capital Project Fund to pay the remaining installments payable as provided, so long as any principal amount remains outstanding. The Authority shall cause written notice of such prepayment to be sent to the County administrator, or designee, not less than thirty (30) days prior to any prepayment date, which notice may be waived by the County.
6. The Authority hereby pledges to the County to secure the payment and performance of the Authority's obligations hereunder all of the Authority's right, title and interest to the revenues and receipts received by the Authority from the stormwater system (the Revenues), subject to the Authority's right to use the Revenues for the payment of the operating and maintenance expenses of the stormwater system. The pledge of the Revenues by the Authority to secure its obligations hereunder shall be valid and binding from and after the effective date of this Joint Resolution. The Revenues, as received by the Authority, shall be immediately subject to the lien of this pledge without any physical delivery of them or further act. The pledge of the Revenues to secure the payment and performance of the Authority's obligations hereunder shall have priority over all subsequent obligations and liabilities of the Authority. In addition, the lien of this pledge shall be valid and binding against all

parties having claims of any kind against the Authority regardless of whether such parties have notice of this pledge.

7. Neither the Authority nor the County shall be obligated to pay the principal of or interest on the loan to the Authority, or any other costs incident thereto, except from the Revenues and other security pledged therefor, and neither the faith and credit nor the taxing power of the County is pledged to the payment of the principal of or interest on such loan or other costs incident thereto. The obligations of the Authority under this Joint Resolution do not and shall not constitute a debt or a pledge of the faith and credit of the County.
8. The Authority covenants that it shall establish and collect rates and charges with respect to the Project sufficient to provide for the operation and maintenance of the System and to service the principal and interest and its other obligations set forth in this Joint Resolution.
9. The Chairperson or the Vice-Chairperson and such other officers of the Authority and the County as may be requested are hereby authorized and directed to take all proper steps to make those loans and carry the transfer of funds and payments in accordance with the terms and conditions set forth in this Joint Resolution, and to deliver all necessary documents and payments to the appropriate party as anticipated herein, and to execute such instruments, documents and certificates as may be requested by Counsel to the Authority or County in furtherance of the purposes set forth herein.
10. Any officer or employee of the Authority or County who receives moneys pursuant to the terms of this Joint Resolution shall act as trustee of such moneys and shall hold and apply the same for the purposes provided in this Joint Resolution and pursuant to the requirements under the Act.
11. All prior resolutions or parts thereof in conflict with this Joint Resolution, if any, are hereby repealed.
12. The Chairperson or the Vice Chairperson and such other officers of the Authority and the County as may be requested are hereby further authorized and directed to take all such further actions as may be necessary or convenient in connection with the Loan.
13. This Authorizing Resolution shall take effect immediately.

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#### **FY2020-2021 Supplemental Appropriation**

##### **Lake Shenandoah Stormwater Authority**

The Lake Shenandoah Stormwater Authority voted on June 24, 2020 to allow staff to move forward with the purchase of land and the construction of a basin and other stormwater mitigation improvements in an amount not to exceed \$2,850,000, to be shared between the Authority and the County Capital Projects Fund. The County Capital Projects Fund would contribute up to \$925,000 for the general county use of the land.

The Authority will borrow funds from the Water and Sewer Fund in order to pay for the land. If the Water and Sewer Fund loans the cash to the Lake Shenandoah Stormwater Authority and to the General Fund, the total interest earned over the next ten years is \$439,377.92. If the Water and Sewer Fund invests that same cash in the traditional investments allowed to governments, it would earn \$130,713.38.

In order to complete the loan and the borrowing accordingly, the following supplemental is required.

Supplemental Appropriation: \$2,850,000

\$1,925,000	GL Code: 1412-00000-15101-000-351401-000	LSSA: Transfer from W/S Fund
\$200,000	GL Code: 1412-04405-00000-000-503109-000	LSSA: Engineering Costs
\$800,000	GL Code: 1412-04405-00000-000-508305-000	LSSA: Site Improvements
\$925,000	GL Code: 1412-04405-00000-000-508313-000	LSSA: Land Purchase
\$925,000	GL Code: 1101-00000-15101-000-351401-000	Cap: Transfer from W/S Fund
\$925,000	GL Code: 1101-09401-00000-000-508313-000	Cap: Land Purchase
\$1,925,000	GL Code: 1401-09301-00000-000-509542-000	Water/Sewer: Transfer to LSSA
\$925,000	GL Code: 1401-09301-00000-000-509511-000	Water/Sewer: Transfer to Cap
\$2,850,000	GL Code: 1401-00000-15201-000-352000-000	Water/Sewer: Fund Reserve

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Chairman Kyger adjourned the joint meeting at 7:55 p.m., and reconvened the regular meeting of the Board of Supervisors for a closed meeting.

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**CLOSED MEETING.**

On motion by Supervisor Chandler, seconded by Supervisor Breeden, and carried by a roll call vote of 5 to 0, voting recorded as follows: BREEDEN – AYE; CHANDLER – AYE; KYGER – AYE; TRUMBO – AYE; WOLFE-GARRISON – AYE; the Board recessed the meeting from 7:56 p.m. to 8:32 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; (7), Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and, (29), Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

MOTION: SUPERVISOR CHANDLER  
SECOND: SUPERVISOR BREEDEN

RESOLUTION NO: 20-10  
MEETING DATE: August 12, 2020

**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, TRUMBO, WOLFE-GARRISON

NAYS: NONE

ABSENT:

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**RECESS.**

Chairman Kyger declared the meeting recessed at 8:32 p.m.

\_\_\_\_\_  
Chairman

DRAFT



# Finance Department Staff Report

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August 26, 2020

**FY20 Audit** -The auditors will conduct final field work the week of September 7<sup>th</sup> - 18<sup>th</sup>.

**2022 Reassessment Update** -The 2022 reassessment process is going well. Pearson Appraisal Service has completed 5,860 parcels to date out of approximately 48,237 parcels. Their staff is currently working in the areas of Bergton, Grottoes, Spring Creek and Massanutten.

**Procurement:**

**No Action:**

**Fully Integrated Permit and Inspection System**-The County is seeking proposals from qualified firms for an integrated computer-based system to track processes across County departments such as Community Development, Public Works and possibly others. Proposals were due Friday, April 17 at 2:00 PM and twelve responses were received. The committee is currently reviewing the responses.

**Appraisal of Water and Sewer System**-The County is seeking proposals from qualified firms for an appraisal of the valuation of a public water and sewer system in order to determine a fair market value for acquisition. Proposals were due Friday, July 31 at 2:00 PM. Seven proposals were received. Interviews are currently being conducted.

August 26, 2020

## STAFF REPORT: COMMUNITY DEVELOPMENT DEPARTMENT

### BOARD ACTION REQUESTED

#### SMART SCALE REVISED RESOLUTION OF SUPPORT

The Board adopted a resolution of support on June 24, 2020 for the County to submit both the Smithland Road (Route 720) widening project and the Mt. Crawford Park & Ride Expansion for VDOT SMART Scale funding program applications. Upon further consultation with VDOT staff, it was determined the Harrisonburg-Rockingham Metropolitan Planning Organization would submit the Mt. Crawford Park and Ride application on the County's behalf to enhance competitiveness of the application for possible funding. To reflect this change of submission, staff requests the Board adopt the revised resolution of support. Details of both projects are found in the Transportation Project Applications Table on page 3 of this staff report and the applications were submitted to VDOT August 17, but resolutions of support will be accepted until October 31.

### PROJECTS AND REPORTS

#### LAKE SHENANDOAH STORMWATER CONTROL AUTHORITY (Adam Hancock)

At the June 24<sup>th</sup> meeting, the Lake Shenandoah Stormwater Control Authority Board voted to set a rate of \$0.04 for 2020 billing cycle, and of \$0.08 for 2021-2030.

#### US 33 ARTERIAL MANAGEMENT PLAN (Rhonda Cooper)

VDOT District Office has set a kickoff meeting for September 19. VDOT's on-call consultants, Kimley-Horn, will work with Brad Reed, the Staunton's Assistant District Planner, to draft a scope and schedule and to arrange communication with County officials and other stakeholders regarding next steps and scoping questions.

Staff preliminarily recommended the Plan encompass US 33 East from the City/County Line to Elkton Plaza at the west side of the Town of Elkton. With Board involvement, the focus areas will be determined early in the process. The study is expected to commence in fall 2020 and conclude in late 2021 in advance of the 2022 round of Smart Scale applications.

The Plan will identify ways to ensure safety and preserve the capacity of US 33 without wide-scale roadway widenings and traffic lights, and will help guide the County and the development community in their decision-making processes, ultimately leading to safer access while minimizing congestion; to planning and designing the appropriate level of access for future development in the corridor; and to improving the County's position when applying for Smart Scale, Revenue Sharing, and other transportation project grant funds. This Plan will be prepared at no cost to the County.

**PROJECTS AND REPORTS, continued**

**BUILDING SERVICES DIVISION & FRONT COUNTER OPERATIONS (Joe Shifflett)**

The attached Development Activity Report breaks down separate totals of permit types and fees collected through July 31, 2020. Total number of permits processed July 01 through July 31, 2020 was 192; YTD total 1,347.

The table below tracks weekly residential and commercial building permit and revenue activity to give insight as to how the building division is affected through this timeframe.

<b>Weekly Permit Type, Count, &amp; Revenue</b>										
<b>March-June 2020</b>										
	3/9-13	3/16-20	3/23-27	3/30-4/3	4/6-15 8 days	4/16-30 11 days	5/1-15 11 days	5/18-29 10 days	6/1-16 12 days	6/17-30 10 days
<b>Residential Permits</b>	(37) \$12,505	(32) \$6,420	(34) \$6,914	(11) \$12,811	(35) \$7,558	(41) \$18,3940	(51) \$29,417	(38) \$15,503	(114) \$40,449**	(80) \$25,183
<b>Commercial Permits</b>	(4) \$4,065	(1) \$95	(5) \$2,356	(19) \$4,665	(15) \$46,230	(9) \$15,502	(8) \$2,829	(8) \$6,345*	(23) \$5,908	(10) \$1,916
<b>July-December 2020</b>										
	7/1-31	8/1-8/31	9/1-9/30	10/1-10/31	11/1-11/30	12/1-31				
<b>Residential Permits</b>	(192) \$24,686 ***									
<b>Commercial Permits</b>	(9) \$13,475									

Yellow highlight indicates timeframe of County Administration Center closure to public.

\*Interchange Permit

\*\*6/01-16: South Peak Subdivision

\*\*\*7/1-31: Sunset Spring Subdivision / South Peak Subdivision

**ROCKINGHAM BICYCLE ADVISORY COMMITTEE (RBAC) (Bradford Dyjak)**

The RBAC will next meet September 24 with a VDOT Residency staff member. The RBAC met July 23 to review the County Bicycle and Pedestrian Plan, discuss coordination with VDOT on future projects, and to receive various trail and greenway project updates.

## PROJECTS AND REPORTS, continued

### TRANSPORTATION PROJECT APPLICATIONS (Bradford Dyjak)

Staff submitted two Smart Scale pre-application projects and awaits the Commonwealth Transportation Board's decision on Revenue Sharing funding awards later in 2020 and for federal Transportation Alternative applications thereafter.

Project # & Name	Location	Project Scope	Funding Program & Status	Cost
<b>#7125 Smithland Road (Route 720) Widening</b>	Between US-11 in and Rt. 718 in the City (approx. 0.8 miles)	Widen Rt. 720 to add a minimum 4-ft shoulder and increase lane width from 10-ft to 12-ft where possible.	<b>SMART Scale Application</b> submitted 8/17/20	<b>\$2.503m</b>
<b>#7157 Mt. Crawford Park &amp; Ride Expansion</b>	VA 257 at I-81 Exit 240	Expansion of the existing Mt. Crawford Park and Ride at I-81, Exit 240	<b>SMART Scale Application</b> submitted by HRMPO 8/17/20	<b>\$2.48m</b>
<b>#5786 VA 253/VA 276 Turn Lanes</b>	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.	<b>Revenue Sharing Application</b> submitted 9/25/19	<b>\$1.5m</b>
<b>#5790 Lake Shenandoah Watershed Culvert Improvements</b>	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.	<b>Revenue Sharing Application</b> submitted 9/30/19; <b>BOS withdrew application 8/12/20</b>	<b>\$1.61m</b>
<b>#5887 Garbers Church Road Bike &amp; Buggy Lanes</b>	Garbers Church Road (Route 910) from VA 42 to Erickson Avenue	a. Design & construct paved, 8-foot wide lanes on both sides of 0.6 mile road segment b. Phase 1: preliminary engineering, right-of-way acquisition (\$350k) [Phase 2 construction (\$1.455m) will be future grant application.]	<b>Transportation Alternatives Set-Aside (TAP) Application</b> submitted 9/30/19. <b>Tentative award 7/10/20</b>	<b>\$1.805m (Phase 1: \$350k)</b>

### CENSUS COMPLETE COUNT OUTREACH (Bradford Dyjak)

#### 1. Census Invitations and Response Rates

- a. The Census Bureau has extended both field data collection and self-response deadline until September 30, 2020, supplanting the prior deadline extension of October 31.
- b. **Over 69% of all County residents have already self-responded** to these initial invitations as of July 1 compared to 61.9% nationally. **The current rate surpasses the County's 2010 response rate.** Initial Self-Response Rates are updated daily at: <https://2020census.gov/en/response-rates.html>.
- c. **Three of the County's incorporated towns ranked within the 20 highest response rates in Virginia.**
  - **#7 – Bridgewater 77.4%; #12 – Broadway 73.1%; and #18 – Mt. Crawford 70.8%**

## PROJECTS AND REPORTS, continued

- d. Enumerator non-response follow-up Census-takers will interview households in person. The revised schedule should start August 11 and continue to October 31.
2. **COVID-19 Testing Sites** – The Department of Fire & Rescue installed posters at the testing site and has Census handouts for distribution to willing testing participants.
3. **Mobile Questionnaire Assistance:** The Census Bureau is identifying essential services sites throughout the region where Census response representatives will be stationed at tables to provide assistance with completing the form (while observing social distancing protocols). A list of locations is provided by the Bureau for local reference.

## PLANNING COMMISSION ACTIONS

The Planning Commission met on August 4 with one case recommended to the Board. Lake Pointe Village was postponed until September 1. The ordinance amendment status report is presented later in this report.

Item	Description	Comments/ Recommendations
REZ20-034	<b>Holtzman Properties, LLC.</b> , Request location: Spotswood Trail, Penn Laird, west of intersection of Lawyer Road (Rt. 655) and Spotswood Trail (U.S. 33). Request to rezone <b>6036 and 6072 Spotswood Trail</b> (Tax Map Parcels 126-(A)- L81 & L82B), approximately 1.1 acres, from A-2 (General Agriculture) to B-1C (General Business with Conditions) and <b>6080 Spotswood Trail</b> (Tax Map Parcel 126-(A)- L82A), approximately 0.47 acre, from B-1C to B-1C with revised conditions. Election District 5.	Recommended approval 8/4/20  <b>To be heard by Board 8/26/20</b>
REZ20-145	<b>Lake Pointe Village Property Owners Association, c/o Ed Smith.</b> Request location: <b>Lake Pointe Village, Massanetta Springs Road (Route 687)</b> approximately 500 feet north of Izaak Walton Drive. Request to rezone Tax Map Parcel 125-(A)-L261 from R-2 to R-3C (General Residential with conditions), and Tax Map Parcel 125-(A)- L263 from R-3C to R-3C with revised conditions to allow an increase in the permitted number of units from 4 to 6 (3 total duplexes), totaling approximately 6.51 acres for both parcels. Election District 3.	Applicant requested postponement of 8/4/20 PC public hearing.  <b>To be heard by PC 9/1/20</b>
REZ18-273	<b>Partners Development, Inc.</b> , 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. Tax Map #107-(A)-L166, Election District #2.	Motion to recommend approval failed 2-3 on 1/2/19; <b>Pending before Board: applicant requested postponement of 2/13/19 Board hearing.</b>

## COUNTY-INITIATED ORDINANCES

Amendment (OA#)	Chapter/Section	Reason & Scope	Status
1. Private Street Standards	17-700 & 701	Review of private streets design standards ongoing.	Board authorized study on 1/23/19
2. Review of A-1 & A-2 District Uses	17-302, 17-303, & Ch. 16	Evaluate distinction of uses between the two districts; consider consolidation into a single agricultural zoning district.	Board authorized study 8/23/17;
3. Review of PMR District Requirements	17-409	Evaluate appropriate uses and regulations for maximum development flexibility.	Board authorized study 12/12/18.
4. Review of Signage Code	17-707	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.	Board authorized study 7/17/19; Staff review is underway.
6. (OA19-260 & 261) Inoperable Vehicles	11-31-40 & 17-201	Revise “automobile graveyard” definition; review screening and vehicle removal provisions.	Board authorized study 8/14/19; <b>Board hearing date T.B.D.</b>
7. Poultry Operations Study	17-201, 606, 607, & 16-9.1	Evaluate: proximity to existing residential dwellings, stormwater run-off, aquifer health, and air particulates generated from the poultry houses.	Board Authorized study 1/8/20; Staff research underway; Advisory Committee has been selected.
8. Outdoor Lighting Requirements	17-706	Evaluate: height, plan requirements, dark sky compliance, and fixture specifications.	Board authorized study 5/13/20; Staff draft ordinance is underway
9. Car Wash in A-2 and RV Districts	17-201 & 17-606	Amending the definition of “Motor Vehicle Repair Shop” to include auto detailing add carwash as a special use in the A-2 and RV zoning districts.	Board authorized study 6/24/20: draft is being prepared.

**PRIORITY PROJECTS UNDERWAY BY STAFF**

<b>Projects</b>	<b>Lead Person</b>	<b>Status</b>	<b>Target Date</b>
<b>Census 2020 Complete Count Committee</b>	Bradford	Census enumerator operations will tentatively begin 8/11 and conclude by 10/31/20.	Ongoing through October 2020
<b>Evaluation of New Permitting Software</b>	CD & IT Depts.	Interviews concluded of four finalist responses to RFP. Evaluating top two products.	August 2020 selection; Implementation 2021
<b>Ongoing Review/Tasks</b>	<b>Lead Person</b>	<b>Status</b>	
<b>Deed Review</b>	Diane	19 deeds under review as of 8/20/20: 7 pending review, 12 awaiting revision.	
<b>Violations</b>	Kelly	60 active complaints, 23 cases pending legal action as of 8/19/20	
<b>Site Plans &amp; Subdivisions</b>	Bradford & Patrick	4 site plans and 2 subdivisions under review as of 8/18/20; 6 approved since 8/7/20	
<b>Subdivision Ordinance Variances</b>	Diana	1 request under review, as of 8/17/20	
<b>Zoning Variances</b>	Diana	0 requests under review, as of 8/17/20	
<b>Zoning Appeals</b>	Diana	0 requests under review, as of 8/17/20	
<b>Home Occupation Permits</b>	Diana	0 permit requests under review, as of 8/17/20	
<b>Home Business Permits</b>	Diana	0 permit requests under review, as of 8/17/20	
<b>Special Use Permits</b>	Diana	6 permit requests under review, as of 8/17/20	
<b>Special Entertainment Permits</b>	Diana	1 permit request under review, as of 8/17/20	
<b>Rezoning</b>	Bradford	6 rezoning requests under review, as of 8/18/20	
<b>Permits and Fees Processed</b>	Joe	1,020 total transactions for month of July 2020	
<b>Building Inspections</b>	Joe	1,831 inspections conducted during July 2020 (averaged 79.60 inspections per day)	
<b>Building Plans</b>	Joe	36 Plans under review, as of 7/31/20	
<b>Environmental (E&amp;S/Stormwater) Plan Review</b>	Adam	15 plans under review, 43 approved and awaiting permit issuance, as of 8/18/2020	
<b>Environmental Inspections</b>	Adam	413 inspections conducted in July 2020	
<b>Addressing Structures</b>	Kendrick	63 new structures addressed in July 2020	
<b>Naming of New Roads</b>	Kendrick	1 new road named in July 2020	

## UPCOMING PUBLIC HEARINGS

August 26, 2020, Board of Supervisors, at 7:00 p.m.

### Special Use Permit

**SUP20-136 Showalter's Orchard and Greenhouse, LLC**, DBA Old Hill, 17768 Honeyville Road, Timberville 22853 for recreational lodging on property located on the west side of **Mechanicsville Road (Route 614)** just northwest of Orchard Drive (Route 881), Election District #1, zoned A-2. Tax Map #39-(A)-159 to be attached to #28-(A)-156.

### Rezoning Request

**REZ20-034, Holtzman Properties, LLC**, P.O. Box 8, Mt. Jackson, VA 22842. Request location: Spotswood Trail, Penn Laird, west of intersection of Lawyer Road (Rt. 655) and Spotswood Trail (U.S. 33). Request to rezone **6036 and 6072 Spotswood Trail** (Tax Map Parcels 126-(A)- L81 & L82B), approximately 1.1 acres, from A-2 (General Agriculture) to B-1C (General Business with Conditions) **and 6080 Spotswood Trail** (Tax Map Parcel 126-(A)- L82A), approximately 0.47 acre, from B-1C to B-1C with revised conditions. Election District 5. **The Planning Commission unanimously recommended approval of this request at its 8/4/20 public hearing.**

## REQUESTS TABLED BY BOARD OF SUPERVISORS

SPECIAL USE PERMIT APPLICATION(S)					
Year Tabled	Date Tabled	File	Applicant	Request	Election District
2020	1/8/20	19-286	Soil Health Technologies	Composting site (like use to refuse and recycling center)	2
REZONING REQUEST(S)					
Year Tabled	Date Tabled	File	Applicant	Request	Election District
-	-	-	-	N/A	-
ORDINANCE AMENDMENTS					
Year Tabled	Date Tabled	File	Applicant	Request	
2020	1/8/20	19-267	None	Section 17-201 & 17-607 using semi-trailers for storage	

## STAFF DIRECTORY

Name	Job Title	Office Number	Mobile Number
<b>ADMINISTRATION</b>			
Rhonda Cooper	Director	564-3033	271-5061
<b>PERMIT INTAKE &amp; PROCESSING</b>			
(Vacant)	Permit Specialist I	564-3038	N/A
Jessica Diaz	Permit Specialist I	564-3040	N/A
Kayla Yankey	Permit Specialist II	564-6024	578-1120
<b>BUILDING CODE ENFORCEMENT</b>			
Joe Shifflett	Building Official	564-3041	578-1558
Ben Terry	Plan Reviewer	564-3046	578-1123
JN Riddel	Building Inspector	N/A	578-1121
Rick Davis	Building Inspector	N/A	830-8018
Danny Mason	Building Inspector	N/A	578-3515
Josh Haugh	Building Inspector	N/A	607-9535
(Vacant)	Building Inspector	N/A	N/A
<b>PLANNING, ZONING, DEVELOPMENT, &amp; GEOGRAPHIC INFORMATION SYSTEMS</b>			
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
<b>ENVIRONMENTAL SERVICES</b>			
(Vacant)	Director of Environmental Services	564-6095	N/A
Adam Hancock	Stormwater Management Program Administrator	564-1529	271-6523
Drew Thacker	Environmental Inspector	564-3047	607-3665
Justin Turner	Environmental Inspector	564-3038	560-5589

## SITE PLAN SUBMITTALS

Project Name	Location	Proposed Use	Description	Status	Election District
<b>Locust Grove Village</b>	Boyers Road (Rt. 704), 0.5 mile south of Stone Spring Road (VA 280)	Residential dwellings (apts. + rowhouses).	86 units	Under review	3
<b>Cobblers Valley Single Family</b>	West side of Pear Street, near Erickson Avenue	Single-family Dwellings	169 lots	Under review	2
<b>Holtzman Liberty - Bergton</b>	W/S of Brocks Gap Road (VA 259), 0.2 mile north of Bergton Road (VA 820)	Convenience Store	3,200-sq. ft. convenience store with 1,296-square-foot canopy for fuel sale.	Under review	1
<b>Crownpoint Independent Living</b>	SW side of Apple Valley Road (VA 726) in Stone Springs UDA	Multi-family	25 duplex units and 120 apartment units	Submitted	4
<b>Mellow Mushroom</b>	Stone Spring Road (VA 726), 0.1 mile west of Will Spring Road	Restaurant	5,704-sq. ft. restaurant with 96-space parking lot.	Awaiting corrections and resubmittal	4
<b>Smith Office Building</b>	Northeast side of Rock Port Drive, between Stone Port Blvd and Spring Port Drive	Office	4,481-sq. ft. office building with 43-space parking lot.	Awaiting corrections and resubmittal	4
<b>Holy Myrrhbearers Orthodox Church</b>	Northwest side of Cross Keys Road (VA 276), 0.3 mile south of Friedens Church Road (VA 682)	Church	5,012-sq. ft. building, with 30-space parking area.	<b>Approved</b>	3
<b>Pallets Ready</b>	W/S of Kratzer Road, 0.28 mile north of northern Harrisonburg City Limits.	Light industry	Proposed 50' x 96' facility for the production of pallets.	<b>Approved</b>	2
<b>The Ponds, Phases 3 &amp; 4</b>	E side of Island Ford Road (VA 649) to Dave Berry Road (VA 648)	Single-family Dwellings	78 lots	<b>Approved</b>	5
<b>Preston Lake Senior Living</b>	Southwest corner of Stone Spring Road (VA 280) & Boyers Road (VA 704)	Rowhouses and nursing home	3 rowhouse buildings totaling 18 dwelling units, plus 47,800-sq. ft. nursing home facility with 70 bedrooms.	<b>Approved</b>	3
<b>R.C. Storage &amp; Maintenance Facility</b>	1589 North Valley Pike	Warehouse/ Maintenance Facility	County storage site	<b>Approved</b>	2
<b>Rockingham Eye Physicians</b>	NE side of Rock Port Drive, between Port Hills Drive and Spring Port Drive.	Medical office or clinic	20,377-square-foot building (plus planned 3,832-sq. ft. expansion)	<b>Approved</b>	4

**RESOLUTION  
ENDORISING THE SUBMISSION OF  
VDOT SMART SCALE APPLICATIONS**

**WHEREAS**, the Board of Supervisors of Rockingham County has further reviewed the two Virginia Department of Transportation (VDOT) SMART SCALE Program applications endorsed by resolution on June 24, 2020; and

**WHEREAS**, the County remains committed to Project #7125 and reiterates its support of the application submitted to **increase the widths of existing travel lanes and add shoulders along Route 720 (Smithland Road)** from U.S. 11 (North Valley Pike) extending approximately 1,850 feet to improve safety, operations, and bicycle movement; and

**WHEREAS**, the County submitted a Pre-Application to **expand the Mt. Crawford Park and Ride Lot capacity**; and

**WHEREAS**, the County subsequently requested the Harrisonburg-Rockingham Metropolitan Planning Organization (H-RMPO) to proceed with submittal of the Mt. Crawford Park and Ride Lot expansion on its behalf instead.

**NOW THEREFORE BE IT RESOLVED THAT** the Board of Supervisors of Rockingham County hereby supports both of these SMART SCALE Program Round 4 applications.

**BE IT FURTHER RESOLVED THAT** this resolution supersedes the resolution of support adopted June 24, 2020.

**ADOPTED** this 26<sup>th</sup> day of August, 2020.



**ROCKINGHAM COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT**

**REZONING CASE REPORT REZ20-034**

Applicant	<b>Holtzman Properties, LLC.</b>
Address/Location	<b>6036, 6072, and 6080 Spotswood Trail (U.S. 33) at its intersection with Lawyer Road (Route 655)</b>
Tax Map#	126-(A)- L81, L82A & L82B
Acreage	1.57 acres total
Present Zoning	A-2 – General Agricultural District (L81 & L82B) and B-1C – General Business with Conditions (L82A)
Proposed Zoning	B-1C – General Business with Conditions
Election District	5
Comprehensive Plan	Commercial
Staff Recommendation	<b>Approval, July 29, 2020</b>
Planning Commission	<b>Recommended Approval, August 4, 2020</b>
Board of Supervisors	

**GENERAL INFORMATION**

**OVERVIEW/BACKGROUND:**

The applicant is the contract purchaser of three parcels fronting Spotswood Trail (US 33). A convenience store with gas station are situated on Tax Map Parcel 126-(A)- L82A) already within the B-1C General Business zoning district. The applicant seeks to expand both the convenience store and gas station and to extend the B-1 district to the two adjoining western parcels in conjunction with a future vacation of lot lines.

**Proffered Conditions:**

While the applicant has submitted proffered conditions on the subject parcels, no use limitation were included, thus any allowable use within the B-1 district could be pursued if the rezoning request is approved. The applicant proffered a “Rezoning Plan” as component of the application depicting proposed turn lane improvements to be constructed by the applicant and dedicated to the Virginia Department of Transportation (VDOT) upon completion.

**STAFF AND AGENCY ANALYSIS**

**PLANNING & ZONING**

**Comprehensive Plan Consistency:**

The parcel is designated as Commercial. 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. They also include commercial areas oriented to serving the traveling public and located at interstate interchanges or major intersections. Commercial areas are planned for public water and sewer service and should offer connecting streets and sidewalks where appropriate.*”

1. Section: II-B-Goals:

Policy #4.1.5 Retain and expand the existing industries and businesses now operating in the County

2. 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. Furthermore, the connection to public utilities and frontage along U.S. Route 33 represents a logical extension of an existing center of commercial activity.

**Adjacent Property Uses:**

Location	Zoning	Existing Uses
North	A-2	Agricultural and Single-family residences
West	A-2	Agricultural
East	B-1	Convenience store, Automobile sales lot
South	B-1C   A-2	Residence, Small contractor’s shop   County pump station

**Zoning Consistency:****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.

**Site Plan Consistency:**

The "Rezoning Plan" accompanying the application generally conforms to County site plan requirements, which would be reviewed subsequent to rezoning approval. Upon preparing a formal site plan submittal, the applicant should address the following:

- Prepare an outdoor lighting plan in conformance with Sec. 17-706.
- Ensure dumpster area is sufficiently screened and provide adequate turnaround maneuvering for vehicles approaching the area adjacent to the four parking spaces.
- Landscaping requirements under Sec. 17-703 shall be reviewed at time of site plan submission.
- Parking islands and breaks are required between every 12 consecutive parking spaces.
- Interparcel connectivity should be addressed within the site plan.
- Provide confirmation of an acceptable sewer connection and easement as approved by Public Works to serve the expanded convenience store operations.

**ENVIRONMENTAL SERVICES**

This site is primarily in the Cub Run watershed. There are no known surface waters on these parcels.

There is mapped floodplain – a small portion of 100-year floodplain on 126-(A)- L81, and 500-year floodplain on 126-(A)- L82B and 126-(A)- L82A. It appears that some unpermitted fill may have been placed on the property to the rear of these lots, so the hydrology of the area may have been altered from when the floodplain was mapped. Given portions of the parcels are situated within the 100-year floodplain, certain use restrictions may limit the location of certain commercial activities as outlined in County Floodplain Code Sec. 6D-4.2.

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.

**VIRGINIA DEPARTMENT OF HEALTH**

The Health Department has no comment on this proposal.

**PUBLIC WORKS**

Staff will need to work with the applicant to determine a connection point to our sewer system. The only manhole in the proposed easement is the wet well for our pump station, which is not a suitable connection point. It remains completely tapped out, as a service line, two force main connections, and a gravity connection all going into it.

The applicant will therefore need to get a new easement or modify the one shown to account for a new sewer connection point. There are three other manholes nearby to the west they could connect to without requiring a road bore. Public Works will continue to work with the applicant to find another option, but needs to see another sewer connection point for this project and this will likely require relocation of the proposed 20 foot sewer easement. This matter can be addressed prior to a site plan submittal.

**VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)****Roadway Information:****Spotswood Trail (U.S. 33)**

**Functional Class.:** Principal Arterial

**Geometry:** 4 Lane Divided Highway

**Traffic Count:** 26,000 vpd

**Posted Speed:** 55 mph

**Lawyer Rd (Rt. 655)**

**Functional Class.:** Major Collector

**Geometry:** 2 Lane Highway

**Traffic Count:** 950 vpd

**Posted Speed:** 45 mph

**VDOT Comments:**

1. VDOT understands that the purpose of the rezoning is to enlarge the existing gas/convenience site. The rezoning is not expected to substantially impact the adjacent roadways. A VDOT Chapter 527 Traffic Impact Analysis is not warranted.
2. Any access to the redeveloped site must be in accordance with the standards and regulations contained within Appendix F of the Road Design Manual and the VDOT Access Management regulations. VDOT has met with the applicant to discuss potential access to the expanded site. The sketch that accompanies the application generally conforms to what VDOT would permit. However, a formal access management exception request will be required at time of site plan. (Note: The applicant has provided VDOT a letter from the adjacent property owner on Lawyer Road stating an unwillingness to share an existing entrance.)

**FIRE AND RESCUE**

The project is located within the McGaheysville Volunteer Fire Department and the East Rockingham Emergency Services station respective first due area. This project will need to meet the requirements of the Rockingham County Fire Prevention Code.

**SUMMARY OF CONSIDERATIONS**

- The applicant's proposed immediate-term uses to expand the existing convenience store with gas station onto the adjacent lots is limited in scope. Uses of greater intensity, however, could be allowed as permitted uses in the B-1 zoning district. No proffered limitations of uses were submitted.
- Development of this parcel shall be governed by Section 6D of the County Floodplain Code, with uses and construction limited by the presence of both the 100-year and 500-year floodplains.
- The parcel is designated as Commercial within the Comprehensive Plan and is directly adjacent to parcels within the B-1 zoning district.
- The granting of this rezoning is not expected to negatively impact the adjacent properties and would not confer special privileges to the applicant not otherwise available to similarly zoned properties.

**STAFF RECOMMENDATION****Approval, July 29, 2020**

The parcel adjoins several larger parcels with a B-1 designation along U.S. Route 33 and Lawyer Road. The request would be consistent with the Zoning Code, specifically the B-1 district requirements Section 17-310.02(a) & (b) as the parcel adjoins existing B-1 district parcels and is oriented along a primary road near major intersections. Staff recommends approval of this request with the suggested clarifying edits to the proffered conditions and the understanding that Public Works comments shall be addressed in advance of a future site plan submittal.

Staff Note: The applicant submitted revised proffers incorporated staff's suggested clarifying edits on August 4, 2020 prior to the Planning Commission's public hearing.

**PLANNING COMMISSION RECOMMENDATION****Approval, August 4, 2020**

Concurring with staff's findings and recommendation, the Commission recommended approval of the request with the August 4 revised proffered conditions on a 5-0 vote.

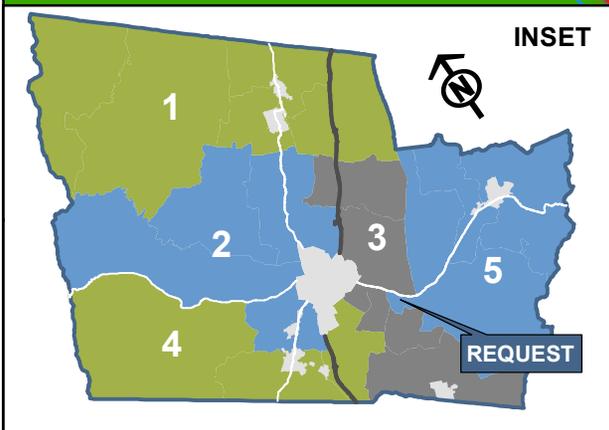


# Holtzman Properties, LLC Rezoning Request



PC Hearing Date: 8/4/2020

REZ# 20-034



**ZONING AMENDMENT REQUEST (B-1C)**

**PROFFER STATEMENT**

**DATE: FEBRUARY 3, 2020**

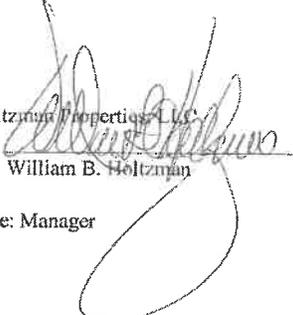
**REVISED: AUGUST 4, 2020**

RE: Holtzman Properties, LLC  
Applicant/Owner: Holtzman Properties, LLC  
Rezoning Case No: REZ 20-034  
Tax Map Numbers: 125-(A)-L81, L82A, L82B

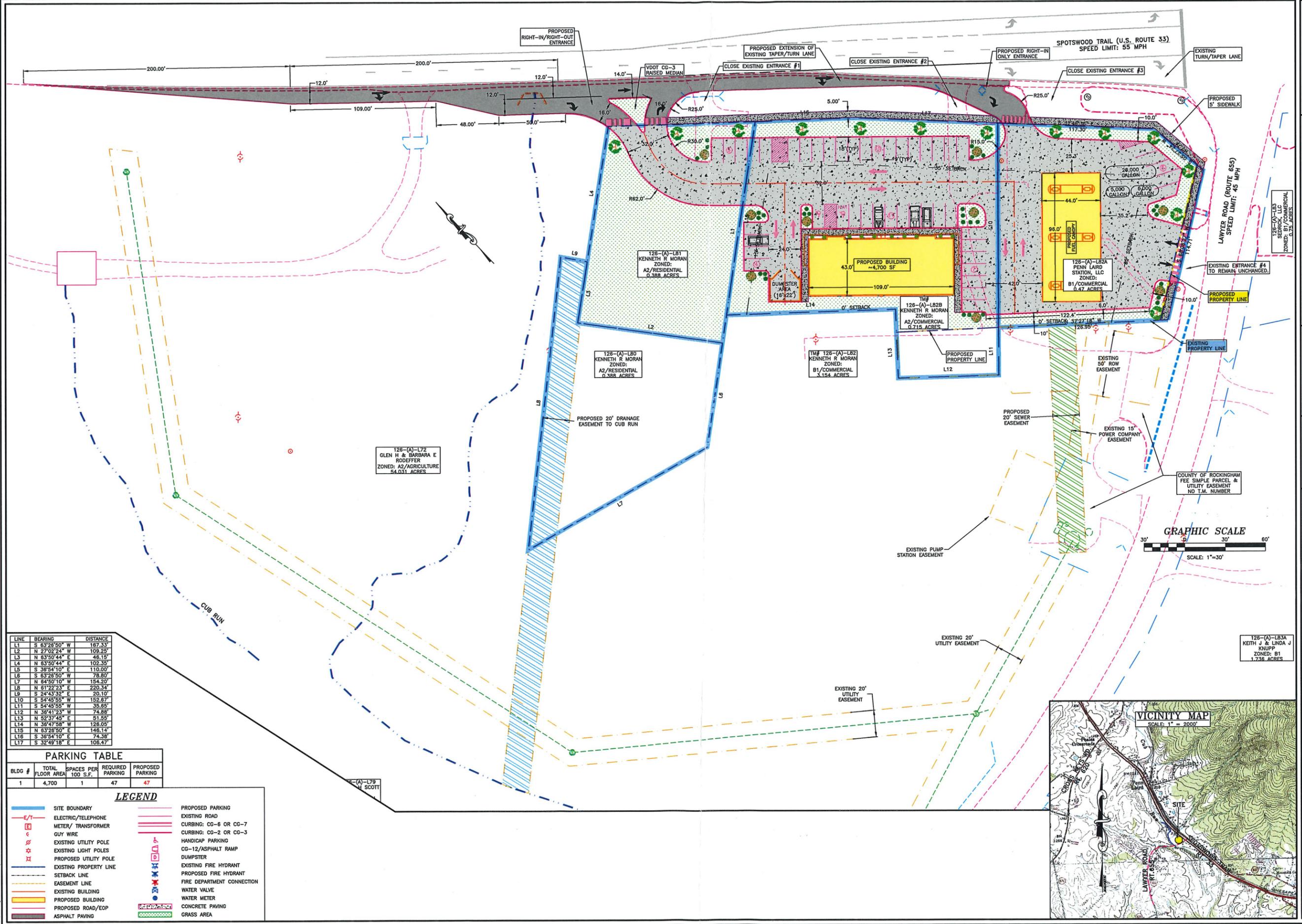
Holtzman Properties, LLC hereby proffer(s) that the use and development of this "Property", being County tax parcels 126-(A)-L81, 82A and 82B (82A upon redevelopment only), shall be in strict accordance with the following conditions:

1. Prior to the issuance of a certificate of occupancy, associated with the redevelopment of the Property the general access, roadway, turn lane, taper lane, sidewalk and entrance improvements shall be paid for by the Owner and shall be installed in substantial conformance with the January 2020 "Rezoning Plan" prepared by Blackwell Engineering and enclosed with the Rezoning Application.
2. Prior to the issuance of a certificate of occupancy, associated with the redevelopment, the Owner shall dedicate those rights of way to VDOT as generally shown on the Rezoning Plan.

Holtzman Properties, LLC

By:   
William B. Holtzman

Title: Manager

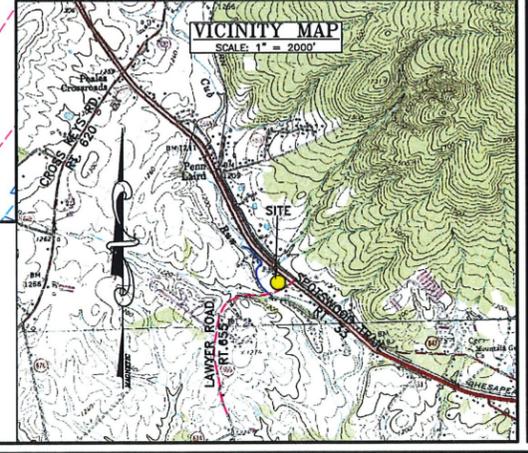


LINE	BEARING	DISTANCE
L1	S 63°28'50" W	167.33'
L2	N 27°02'24" W	109.25'
L3	N 63°50'44" E	45.15'
L4	N 63°50'44" E	102.35'
L5	S 36°54'10" E	110.00'
L6	S 63°28'50" W	78.80'
L7	N 64°50'10" W	154.20'
L8	N 61°22'23" E	220.54'
L9	S 24°43'32" E	20.10'
L10	S 54°45'55" W	152.67'
L11	S 54°45'55" W	35.65'
L12	N 36°12'33" W	74.88'
L13	N 52°37'45" E	51.55'
L14	N 36°47'58" W	126.05'
L15	N 63°28'50" E	146.14'
L16	S 36°54'10" E	74.38'
L17	S 32°49'18" E	108.47'

BLDG #	TOTAL FLOOR AREA	SPACES PER 100 S.F.	REQUIRED PARKING	PROPOSED PARKING
1	4,700	1	47	47

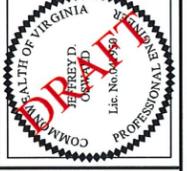
**LEGEND**

SITE BOUNDARY	PROPOSED PARKING
ELECTRIC/TELEPHONE	EXISTING ROAD
METER/ TRANSFORMER	CURBING: CG-6 OR CG-7
GUY WIRE	CURBING: CG-2 OR CG-3
EXISTING UTILITY POLE	HANDICAP PARKING
EXISTING LIGHT POLES	CG-12/ASPHALT RAMP
PROPOSED UTILITY POLE	DUMPSTER
EXISTING PROPERTY LINE	EXISTING FIRE HYDRANT
SETBACK LINE	PROPOSED FIRE HYDRANT
EASEMENT LINE	FIRE DEPARTMENT CONNECTION
EXISTING BUILDING	WATER VALVE
PROPOSED BUILDING	WATER METER
PROPOSED ROAD/EOP	CONCRETE PAVING
ASPHALT PAVING	GRASS AREA



Date: JANUARY 2020  
 Scale: 1" = 30'  
 Designed by: JDO  
 Drawn by: JDO  
 Checked by: JDO

**Blackwell Engineering, PLC**  
 568 East Market Street  
 Harrisonburg, Virginia 22801  
 Phone: (540) 432-9555  
 Email: BE@BlackwellEngineering.com



NO.	DATE	DESCRIPTION

**REZONING PLAN**  
 HOLTZMAN - PENN LAIRD  
 HOLTZMAN OIL CORPORATION  
 P.O. BOX 8  
 MOUNT JACKSON, VA 22842

Drawing No.  
**1**  
 of 1 Sheets

Job No. 2444



**Community Development  
Special Use Permit Report  
SUP20-20-136**

**Meeting Date: August 26, 2020**

**Applicant: Showalter's Orchard and Greenhouse, LLC**

**Mailing Address: 17768 Honeyville Rd., Timberville VA 22853**

**Property Address: 6718 Orchard Drive, Timberville**

**Phone #/Contact: Sara Showalter/540-246-6545**

**Tax Map ID: 28-(A)-L156, 28-(A)-L155**

**Zoning: A2-General Agricultural**

**Requested Use: Recreational Lodge**

**Location: West side of Mechanicsville Rd northwest of Orchard Drive**

**Acreage in parcel: 36.038 in #28-(A)-L155 and 32.318 in #28-(A)-L156**

**Acreage in request: 1.0**

**Election District: 1**

**Comprehensive Plan: Agricultural Reserve**

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, at a minimum the following conditions apply:

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.
3. Rockingham County Fire Prevention Code shall be met.
4. This project shall be evaluated for Land Disturbance Permit requirements.
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. This permit is contingent upon the applicant obtaining a sewage disposal permit and a lodging permit from the Health Department. A copy of said permits shall be submitted to the Community Development Department prior to issuance of a building permit. Well and septic shall be installed and approved by the Health Department prior to issuance of a certificate of occupancy.

**SUBMISSION JUSTIFICATION:**

Table 17-606 allows for special use permit application for recreational lodge in the A2-General Agricultural district.

**BACKGROUND**

The family has owned and operated Showalter's Orchard for over 55 years and in 2011 started their cidery business. On March 8, 2017 the Rockingham County Board of Supervisors approved Special Use Permit 17-013 for an event center at the property. The applicant's plan is to build three small dwellings to allow guests who are participating in on-farm activities and events to stay overnight.

**Adjoining Properties and Special Uses**

No special use permits have been issued for any adjoining properties.

**ZONING AND EXISTING LAND USE**

**Adjoining Properties and Uses**

<b>Direction From Site</b>	<b>Zoning</b>	<b>Existing Land Use</b>
North	A2	Horticulture, home site
East	A2	Horticulture, home site
South	A2	Horticulture, home site
West	A2	Horticulture, home site

**STAFF AND AGENCY ANALYSIS**

**UTILITIES**

Virginia Department of Health

The applicant will need to obtain a sewage handling and disposal permit from the Health Department for this use. Since the cabins will be rental units the applicant will also need to obtain a lodging permit from the Health Department.

Public Works

This parcel is located in Timberville and uses well and septic and is not in the County Utilities service area. Public Works has no further comment.

**ENVIRONMENTAL**

Environmental Services:

No comments received.

**PUBLIC FACILITIES**

Emergency Services

SUP20-136 is located within the Timberville Volunteer Fire Company and Broadway 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 received.

Planning

Comprehensive Plan Designation: The parcel is shown as Agricultural Reserve in the Comprehensive Plan, which is delineated in Section II-C-3:

- a. Existing Uses. The Agricultural Reserve also contains other existing uses: residences, rural centers, and rural commercial uses that are served by wells and septic systems. ...This plan recommends, in the absence of public water and sewer services,

limiting the expansions of the rural centers in order to reduce potential impacts on agricultural activities.

b. Other Uses. Because of the changing economics of agriculture, other uses might be appropriate for the agricultural area that could provide supplemental income to the farm. These uses could include: bed and breakfast enterprises, country inns, rural retreats, riding academies and camps, farm camps, history camps, demonstration farms, crop mazes, battlefield reenactment parks, and similar uses.

c. Section II-B-Goals:

i. Goal 3. Preserve Agricultural Industry and Economy (income, land, and jobs - not necessarily type of crops/products).

ii. Goal 6. Achieve a Balance of Compatible Land Uses and Communities in which people can live, work and play.

iii. Policy #4.1.5 Retain and expand the existing industries and businesses now operating in the County.

Site Plan Considerations:

a. Site Plan requirements will need to be met consistent with Chapter 17, Article VII "Development Standards" after issuance of the special use permit.

b. The application will be considered a minor site plan, and most of the details contained in the SUP application should meet the standards. More formalized site plan will only be required if other agencies require further details or study after SUP approval.

## **TRANSPORTATION**

### Virginia Department of Transportation

The proposed cabins may utilize the existing commercial entrance for the orchard which is adequate for the request. Any alternative access point to a State maintained roadway will have to be reviewed and approved by VDOT.

## **SUMMARY**

### Considerations:

1. Virginia Department of Transportation has approved the existing commercial entrance for this use.
2. Virginia Department of Health will require the applicants to obtain a sewage disposal permit and a lodging permit.
3. Applicants shall be required to register with the Commissioner of the Revenue with regards to transient occupancy tax.

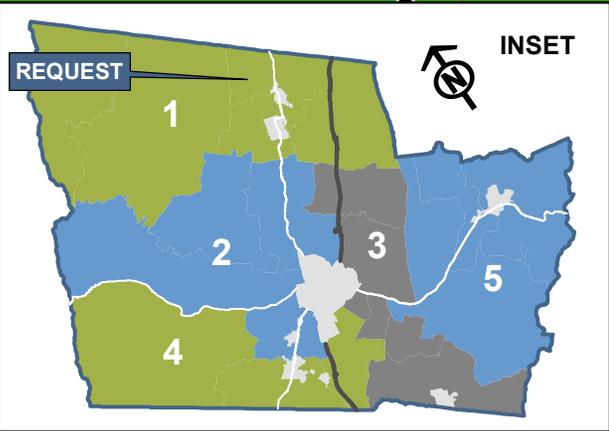


# Showalter's Orchard Special Use Permit Request

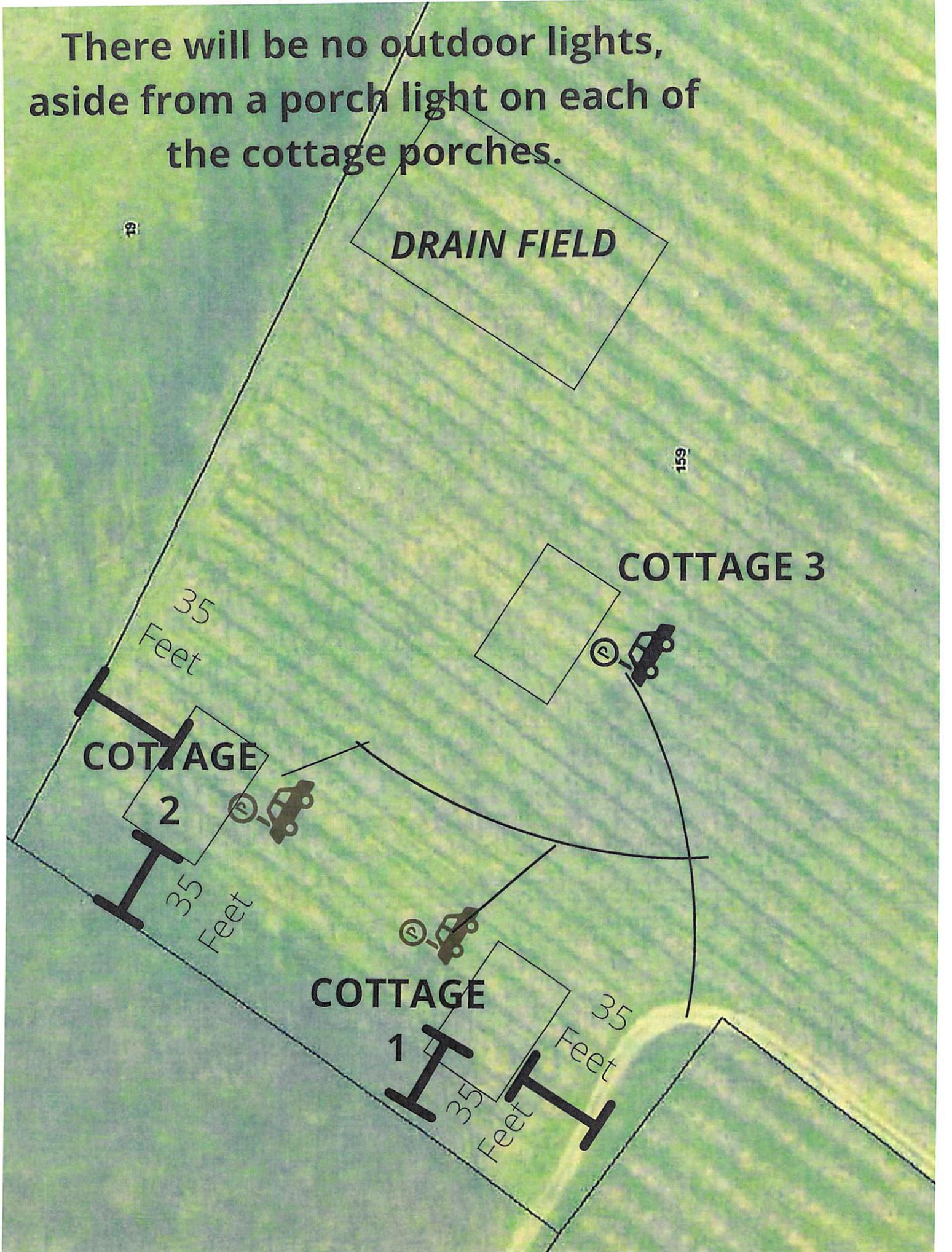


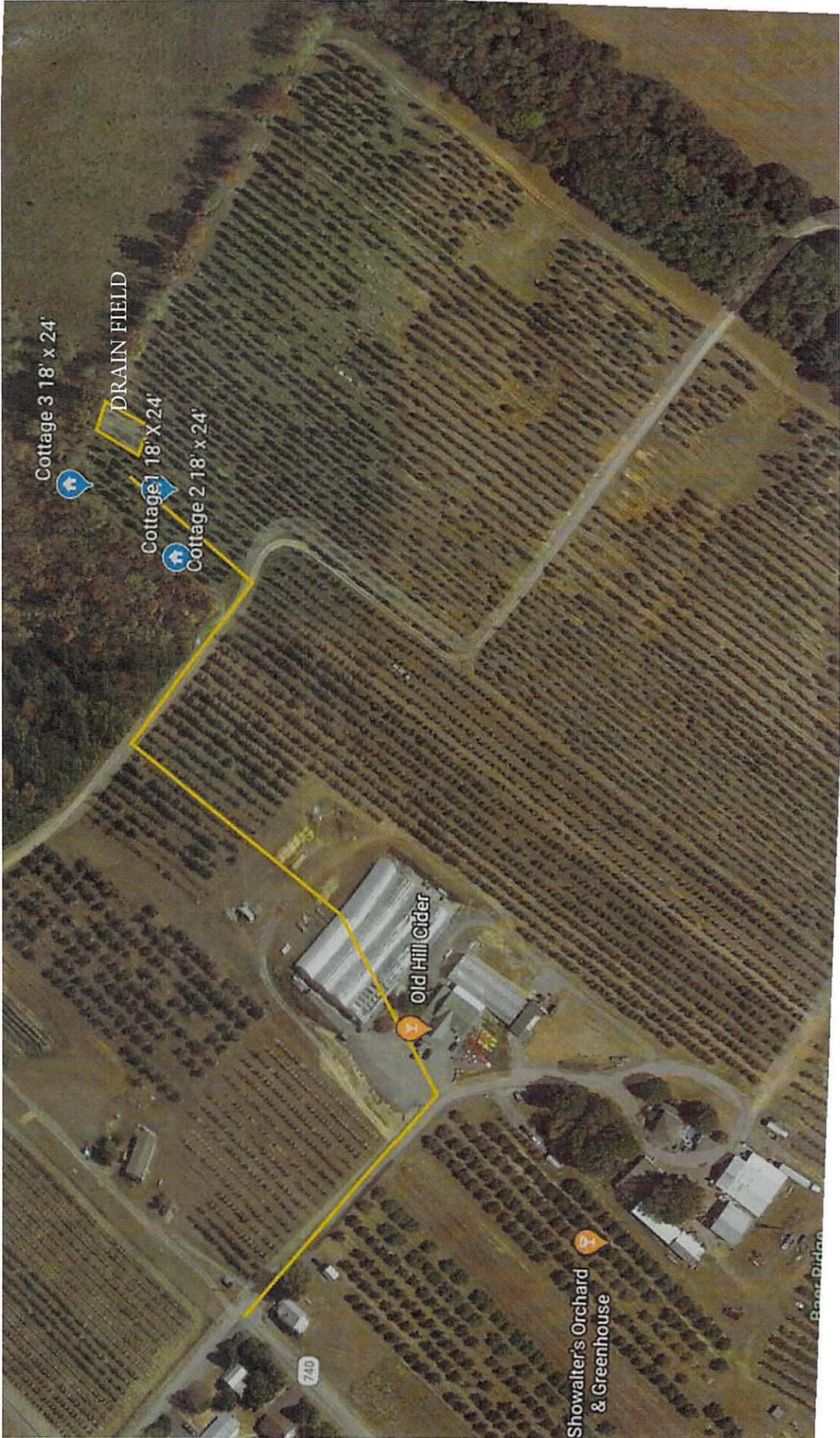
8/26/2020

SUP#20-136



There will be no outdoor lights, aside from a porch light on each of the cottage porches.





Cottage 3 18' x 24'

DRAIN FIELD

Cottage 1 18' x 24'

Cottage 2 18' x 24'

Old Hill Cider

Showalter's Orchard & Greenhouse

740

Beer Ridge