

JUN 03 2020

VIRGINIA

June 1, 2020

STEPHEN G. KING / CASEY ARMSTRONG

Dear MR. KING, MR ARMSTRONG,

You can not imagine the anger and resentment you have unleashed amongst the people of Lake Shenandoah Watershed. IF we were Minneapolis Right now we could decide to retaliate — instead we have decided to petition the county administration and let ^{THEM} know how upset we are with the proposed tax they plan to levy on us, due to your mistake in engineering and planning the affected subdivisions. While we were building we followed all the Rules and regulations you imposed upon us. So now, because of possible mistakes you made, you are saying — we can fix this, but the affected residents will have to pay for it. You plan to assess each household hundreds of dollars each year just for the privilege of living in the flood zone. Are you kidding us? Myself, I will have to pay more than some because my house spreads out on one level. People with a two story house — but just as much.

square footage will pay less. Fair? I don't think so!

At this time in our country when there is so much unrest — when we are given mandates for existence, seeing less money in our accounts, and panic & fear about Covid-19, and you want to tax us unmercifully? Does this not resonate with you? I think if you look hard enough you could find grants or money elsewhere. To the people of the LAKE SHENANDOAH WATERSHED — you owe us an apology — NOT a tax!!

Alice Julius
3890 Traveler Road
Rockingham, VA 22801

540-434-8514 (H)
540-908-5244 (C)

Terry A. Lam
2536 Massanetta Springs Road
Rockingham, VA 22801
TerryLam@gmail.com
540.246.5300

June 1, 2020

ROCKINGHAM COUNTY

JUN 02 2020

VIRGINIA

Rockingham County Board of Supervisors
C/O Casey Armstrong
20 E. Gay Street
Harrisonburg, VA 22801

To all board members,

I am writing to express my firm opposition to the proposed Lake Shenandoah Stormwater Control Authority assessment of fees to just a select few neighborhoods, the administration and accountability of those fees and their uses, and the amount of the fees because they are excessive.

If fee assessments do pass despite majority opposition, we are asking for the following:

1. Review the amount of the fees as currently the proposed fees are in excess at 4+ times the rate of other localities with similar stormwater fees.
2. Administer the fees across the entire county as everyone potentially benefits from not only reduced flooding in the watershed area but from clean and healthy water as well. Remember there is a public park and lake that draws in residents from all over our county making it in the interest of the entire county and not just on the neighbors living in the immediate area.
3. To ensure a detailed definition and limit the projects needed and cost to do those. If new development approvals have responsible watershed standards, then the problem and solution should be finite in nature and any fees assessed also finite with an end date with no increases during the project timeline without further public hearings on reasons and use of the monies.
4. Determine a reasonable definitive end to the fee and cap any overages until fully vetted in public hearings.
5. Provide detailed accounting of where the money is spent and utilized readily accessible to the residents at reasonable intervals defined as Monthly, Quarterly and Annually to ensure the funds are used appropriately for their intended purpose.
6. Sunset or END the fee permanently at completion of defined projects and scope.
7. Ensure any maintenance and operation on a continual basis are funded by the general fund.

The residents in this area are not a "Cash Cow" for the county and the projects pertaining to the county just because of the home values and perceived income and affordability of those residents.

We are not to be an additional source of income for the County to carry out its business. Your letter suggests many localities have similar fees, but our research shows they are less than 25% of what you are proposing making them not similar. The letter also states there are several options currently being considered but does not show any detail about exactly what should or needs to be done to do a proper estimate and forecast. We demand accountability and detail before funding.

All County residents have the potential to travel in the area as you state with the new Port Road Fire Station, but in this case are even drawn to the area since there is a public park and Lake at the center of all of this. So, you make our case for us that the whole of the County benefits and thus needs to participate in the fee assessment program the same as the local community.

Furthermore, when this community was approved, developed and buildings approved it was with stormwater runoff in mind because of the lake. We have grass ditches instead of hard culverts to divert water, so it soaks into the ground, and some storm control ponds at the base of the lake. You say there is no mechanism to go back and make developers accountable for the past in your letter, but you are trying to do just that to the residents. This is a county issue and not individuals or singled out neighborhood issue. The only time the ditches run even half full in Lake Pointe is when there are major storm events and most of that water comes from Port Republic Road into our neighborhood. Our yards are designed to soak in the water and in some cases even have dry well type of understructure in place to keep water from ponding.

Another concern is with the State and Dept. of Game and Inland Fisheries regarding Lake Shenandoah itself. When the lake was built, it had a minimum depth of 4 feet on the southwest shallow end of the lake. Over the years, routine sedimentation has settled to where almost half the lake under 2 feet and a lot is a foot or less in depth. I believe this has compounded the runoff issue if not being a major cause.

I'm not an engineer nor do I claim to be, but if the State were petitioned to repair the lake back to its original capacity and fix the broken dam, I feel this would help a great deal with the run off issues. I certainly believe the County should be looking at all options BEFORE assessing fees.

We have a representative form of government so that the will of the people be followed and not the will of what the representatives "feel" or "think" the people want or need. We have overwhelming support for rethinking this fee, who is assessed, how much, when, with what controls, and when it ends.

A petition from the people will follow in advance of the meeting on June 10 with the ask that the board consider all the public outrage and rethink the actions and fee assessments recommended by the Lake Shenandoah Stormwater Control Authority and provide more accountability to the people.

Respectfully,

Terry A. Lam

Comparison Schedule of fees showing Rockingham County is excessive.

Stormwater Fee Structures in our Region

Staunton Stormwater Fees for up to 20,000 sq ft impervious area **\$38.40 Yearly**
<https://www.ci.staunton.va.us/home/showdocument?id=1506>

Augusta County Stormwater Fee (full County) **\$76.80 Yearly**
https://www.augustaga.gov/2275/Stormwater_Fees
up to 4,400 square feet of hard or "impervious" surface

Harrisonburg City Stormwater
<http://www.harrisonburgva.gov/stormwater-utility>
\$6.00 per 100 sq. ft of impervious surface (up to 4,500 sq ft) **\$48.00 Yearly**

Proposed yearly fee for those living in the watershed
(example 3,500 roof area x 10 sq ft)
= \$350 Yearly fee for 10 years

Slide from the Rockingham County Board Work Session – April 2019

Your estimates have doubled, and this shows most were recommending county wide funding from the general fund.

QUESTION 2:

- For the Lake Shenandoah Drainage area, the Committee recommended additional engineering to determine the solution(s) with the best benefit-cost ratio for this inadequate drainage system. How should we fund studies and infrastructure work in this location?

QUESTION 2:

Some grant funding may be available – and is currently being pursued, but these funds are a one-time source

VDOT Revenue-Sharing may be an option

QUESTION 2:

- ▣ For remaining costs and maintenance costs:

Majority (but not all) committee members recommended funding from the General Fund

Staff recommends creation of specific fee or tax districts tied to specific improvements

FINANCING

- ▣ Estimated \$2.73 million in total improvements
- ▣ -1800 homes in watershed
- ▣ \$1,516/ home
- ▣ Over 10 years \$151.60/year/home or \$12.63 per month
 - This would not include ongoing maintenance costs which would add another 10-20%

ROCKINGHAM COUNTY

JUN 01 2020

VIRGINIA

NEED to SCAN

3063 Clubhouse Hill Rd
Rockingham
VA 22801-3593

June 1, 2020

Rockingham County Administration Center
Attn. Casey Armstrong
20 E Gay St.
Harrisonburg,
VA 22802

Dear Mr. Armstrong

Proposed Fee: Lake Shenandoah Stormwater Control Authority
Map Number 125A-(4)-166.

Thank you for the comprehensive information about the reasons for the proposed fees. I fully understand the need for resources to control stormwater run-off.

However, I consider that the fees should be applied county-wide and not borne solely by local home-owners. Here is why.

The flooding problems were mainly caused by poor planning of too residential permits for developers (still continuing in the area) and inadequate flood control design over many years. This was not the fault of current home-owners who should not therefore bear the full brunt of the costs of improvements and prevention.

In addition, the Shen Lake itself is used as an amenity for fishing and recreation by many from outside the the local residential area and, in the eleven years I have lived here, it has been increasingly impossible for local residents to enjoy it due to crowded parking space and, for people on foot, lack of sidewalks, in particular along Massanetta Springs road. Residents in large houses around the lake also discourage access to the public area which is inadequately maintained.

I understand the use of roof area as one criterion for assessment. But, I suggest there are others that should be applied. I am a retired widow living alone on a fixed income. On a personal note, I never water my lawn, I minimize the use of fertilizer, and I deplore the pollution I see in the lake at Preston Lake. I see large families locally who use much more water than I do, including washing multiple large autos (I have one small hybrid, an energy efficient car). Now with this assessment, I am finding my property costs approaching those of Arlington County where we lived for nearly 20 years. I know other local home owners living alone may be in a similar situation. Therefore, I suggest, the Board have consideration of the number of people in a property, the size of their water utility bill and perhaps the number of their autos. These criteria would not be difficult to apply because the County has records of these facts.

Many thanks for considering the case I put forward for spreading this fee more widely.

Yours sincerely,



Linda A. Dove

NEED TOSCAN

3226 Old Thirty-three Road
Rockingham VA 22801-4717
May 26, 2020

ROCKINGHAM COUNTY

Stephen G. King, County Administrator
Rockingham County
20 East Gay Street
Harrisonburg VA 22802

MAY 29 2020

VIRGINIA

Dear Mr. King:

I have been receiving your notices regarding the Lake Shenandoah Stormwater Control Authority, and the associated revenue fee being proposed.

The first letter came in March. It was not dated. On March 16, 2020, I called your office and got an answering machine. I explained that I am not located in the Lake Shenandoah watershed. The water from my property flows into Cooks Creek, which meanders south via Dayton, Bridgewater, and Mt. Crawford, where it enters North River.

The following day, March 17, 2020, I received a call from your office and was told that the letter had been sent to me in error, and that I should simply ignore it.

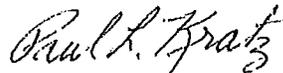
However, since then I have received two more letters informing me, first of the postponement of the proposed hearing, and now the establishment of June 10 as the date for the hearing.

If the phone call I received was correct, why do I continue to receive notices?

I would appreciate your response in writing.

Thank you.

Sincerely,


Paul L. Kratz

Cc: Casey Armstrong

From: Stephen King
Sent: Wednesday, April 22, 2020 3:09 PM
To: Greg Nelson
Cc: Casey Armstrong; rgregoryn@aol.com
Subject: RE: Lake Shenandoah Stormwater Control

Mr. Nelson,

The Public Hearing regarding the proposed fees was delayed due to the COVID-19 crisis. I anticipate that the Board will hold the hearing not earlier than June 10, 2020.

Information about the Authority can be found here. <https://www.rockinghamcountyva.gov/799/Lake-Shenandoah-Storm-Water-Authority> We will be updating to provide additional information in the future.

The proposal is for those who own structures in the drainage area to bear the costs as opposed to a county-wide assessment. Impervious rooftop area is proportionally related to the amount of runoff generated by a property. Many localities in Virginia utilize an impervious area computation to calculate stormwater fees.

Let me know if you have questions.

Stephen

Stephen G. King, P.E.
County Administrator
20 East Gay Street
Harrisonburg VA 22802
540.578.1130

From: Greg Nelson [<mailto:Greg.Nelson@georgesinc.com>]
Sent: Wednesday, April 22, 2020 8:40 AM
To: Stephen King
Cc: Casey Armstrong; rgregoryn@aol.com
Subject: Lake Shenandoah Stormwater Control

Mr. King,
What is the current status of the project and proposed assessment on residents in the Lake Shenandoah area impacted by the project being done to help alleviate flooding in the Lakepoint/Highland/Lakewood neighborhoods? I reside in the Lakepoint neighborhood, and would be part of the proposed tax increase (2537 Massanetta Springs Road).

Know this public comment period came right at the time the COVID-19 mandates were issued. This project (and subsequent corresponding tax increase) is an unfair penalty being imposed to property owners with no issues on the storm water problems. Plus, you are setting a dangerous precedent by targeting the project costs to only a limited number of residents in a geographic area. Are all future county projects going to have the same costs targeted to just a select group of residents impacted by the project??

Thanks,

Greg Nelson | Director of Foodservice Sales | George's Inc.
1620 South Main Street | Harrisonburg, Virginia 22801
Mobile: 540-578-4640 | www.georgesinc.com

From: Stephen King
Sent: Wednesday, April 22, 2020 2:24 PM
To: Cindy Noftsinger
Subject: RE: Rockingham County Stormwater Authority Fee Opposition

Ms. Noftsinger,

I'm not going to be able to respond to every point and question in your e-mail, but I will attempt to do so for some.

- Information about the Authority can be found here. <https://www.rockinghamcountyva.gov/799/Lake-Shenandoah-Storm-Water-Authority> We will be updating to provide additional information in the future.
- The flooding problems in the area intensified within the past 10 or so years, which prompted the County to commission the Timmons study, completed in 2013.
- The Timmons Study recommend options for funding, one of which was creation of a fee-based drainage district.
- In my 20 years working for the County, the Board has never approved residential development due to potential revenues. Residential development generally results in greater expenses (education and emergency services for example) than revenues.
- The proposal is for those who own structures in the drainage area to bear the costs as opposed to a county-wide assessment.
- Based on the scope as currently identified and the fees as currently proposed, we expect a 10-year loan. Once capital projects are completed, there would need to be funds set aside for maintenance. I expect those costs to be significantly lower and the initial fee, to reflect the actual projected expenses.
- Impervious rooftop area is proportionally related to the amount of runoff generated by a property. Many localities in Virginia utilize an impervious area computation to calculate stormwater fees.
- I think there is confusion when it comes to the proposed County budget and the five year Capital Improvements plan. There are no large expenditures, no capital projects, in the proposed budget.

The Public Hearing regarding the proposed fees was delayed due to the COVID-19 crisis. I anticipate that Board will hold the hearing not earlier than June 10, 2020.

I'll share your comments with the Board members.

Stephen

Stephen G. King, P.E.
County Administrator
20 East Gay Street
Harrisonburg VA 22802
540.578.1130

From: Cindy Noftsinger [mailto:cindynoftsinger@yahoo.com]
Sent: Wednesday, April 22, 2020 12:47 AM
To: Stephen King; carmentrout@rockinghamcountyva.gov; Lisa Perry
Subject: Rockingham County Stormwater Authority Fee Opposition

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Good Evening Mr. King, Mr. Armentrout and Ms. Perry,

I have received a letter in the mail describing proposed fees imposed by our local government concerning the Stormwater Authority. I have significant and justified concerns, as a constituent, about the proposal. Please reconsider the proposed fee for mitigation of the flooding in our neighborhoods. My late husband and I bought our home in Highland Park 23 years ago. We were thoughtful in our purchase and perhaps paid more for our hilltop lot. We worked very hard to afford our home and to raise our three sons here. We were strategic in avoiding neighborhoods that imposed HOA fees too. Now, an HOA-like fee is anticipated, with no benefit to me or many of my neighbors, to resolve the flooding issues for a few homes (likely purchased for a lower cost because they were in low lying areas, dare I say flood zones). In my opinion, the county decision-makers have allowed excess development for additional revenues. The excess development and poor engineering analyses have resulted in flooding, and only realized in the past few years (the problem didn't exist for the first 15 years that we lived here). It seems the county is taking an easy way out on this resolution. Why have a few residents bear the full burden from mistakes made by the county, engineers and developers? Our homes will be devalued/stigmatized, with the imposition of this annual fee and we pay significant taxes as it is. I recommend that the county impose a minimal fee across the board to all residents of Rockingham County. The "fix" will get paid for faster and with far fewer negative impacts. HOW LONG ARE WE EXPECTED TO BEAR THIS BURDEN? 5 years? 10 years? Longer? Do you and the Board of Supervisors not have a responsibility to protect all of your constituents?

- How did you conclude that rooftop square footage was a good measurement to determine individual fees?
- Why are large expenditures, valued in the millions of dollars as projects, proposed for future County spending before this problem is fixed and paid up? It doesn't seem like sound management of county funds. If you have a leaky roof, do you purchase a luxury car before getting your roof fixed? Please steward county monies properly!
- When will the county start disallowing mass development on the East side? Drive down Boyers Road and observe the construction of multiple dwelling units from one end of the road to the other. At some point, when developers request permits, the county needs to just say NO!

I am a single mom and widow who will have two sons in college next year and for the next few years. This is an incredible burden to me and my family and if my husband was still alive, John Noftsinger would have never sat still for this fee. There has got to be a better way to resolve this issue than to burden a few households for mistakes that are not ours to own. I am in serious opposition to this proposed fee. That money would help me get my kids through college. If you think that I have an abundance of wealth and can afford several thousand dollars in fees, because I live in Highland Park, then you need to think again! This fee is absolutely unjust to impose on a few homeowners. A review of the cited study (see page 48) reveals that it was recommended that homeowners not bear this burden. Please take that recommendation under serious consideration!

I would like a response at your earliest convenience and before a final decision is made. Call me at (540) 435-1215.

All the best,

Cindy Noftsinger, MPA

From: Casey Armstrong
Sent: Wednesday, June 3, 2020 8:19 AM
To: 'James Gardner'
Subject: RE: proposed annual floodwater fee

Mr. Gardner,

Thank you for your input, I will share your questions and concerns with the Board of Supervisors.

From: James Gardner [<mailto:jamesdjgardner@gmail.com>]
Sent: Tuesday, June 2, 2020 5:02 PM
To: Casey Armstrong
Subject: proposed annual floodwater fee

How can you possibly hold a so-called meeting to discuss a new fee for living in a particular section of the county, when there is, as your own letter states, a national, commonwealth, and local state of emergency, putting people's lives and health? It seems that this is a deliberate attempt to stifle any opposition to the fees, since again, according to your letter, attendance will be limited. This is not a fair and open procedure, denying people the right to be heard, and to have questions answered as they arise. Also, since the letterhead states Rockingham County at the top of it, why isn't the entire county being assessed, instead of only a part of the county? I've never heard of selectively penalizing a section of the county for a fee such as this, when it is obvious that the proposed flood mitigation proposals are being instituted so that this section of the county can be developed. Are the developers paying into the fund over and above what the current or prospective homeowners are being asked to pay? What about the merchants and box stores in Harrisonburg? The stand to gain in increased revenue from new development and in increase in permanent population. Why aren't they being asked to help foot the bill? What about those landowners and real estate interests who stand to gain through development? Are they being asked to pay? It seems to me that this is a divide and conquer strategy, putting the burden on a few so that the rest of the county won't be affected, and therefore won't object. To say that everything about this is unfair would be an understatement.

Jim Gardner
Preston Lake

From: Casey Armstrong
Sent: Monday, April 20, 2020 10:26 AM
To: 'linspen1@comcast.net'
Subject: RE: Lake Shenandoah Stormwater

Thank you Ms. Spencer, I will pass your comments along to the Board of Supervisors.

From: linspen1@comcast.net [<mailto:linspen1@comcast.net>]
Sent: Monday, April 20, 2020 9:58 AM
To: Casey Armstrong
Cc: linspen1@comcast.net
Subject: Lake Shenandoah Stormwater

Good morning-

My name is Linda Spencer and I live east of town in the stormwater concern area - 3193 Taylor Spring Lane. I understand that taxes in our area are going to increase to help solve the water problem and would like to make the point that some should have more of an increase than others. I attended the meeting where many people spoke against the idea and heard the county respond that they realized increased building in this area had attributed to the problem and they had taken measures in the past few years with new development to address water run off. Taylor Grove apartments which is beside of my property is a fairly new development and I can assure you there was no thought from the county about run off concerns. There are at least 30+ downspouts that send water towards my property every time it rains.

I have lived here for over 30 years and there used to never be water issues. As development has increased it has gotten worse and worse over the years. Run off from Taylor Springs Townhomes, Taylor Grove, the new TroBudd development on Boyers Road and Cullison Creek pond overflow.

My property is zoned R-3 and I would love to sell it for development but since water is an issue that is not possible at the present time. I understand the county is going to purchase the O'Donnell land on Taylor Spring to help solve the water problems, perhaps since water runs from my property to theirs Rockingham County would like to purchase my land to aid in the flow of water.

Thank you for your time.

Linda Spencer

From: Lisa Perry
Sent: Wednesday, April 22, 2020 2:51 PM
To: Chris Taylor
Cc: Stephen King; Casey Armstrong
Subject: RE: Proposed Imposed Residential Stormwater payment

Mr. Taylor,

It looks like you had the wrong email address for Mr. King, however, another resident had sent us the same questions as your letter, and I am forwarding you Mr. King's response to that citizen – see below:

I'm not going to be able to respond to every point and question in your e-mail, but I will attempt to do so for some.

- Information about the Authority can be found here. <https://www.rockinghamcountyva.gov/799/Lake-Shenandoah-Storm-Water-Authority> We will be updating to provide additional information in the future.
- The flooding problems in the area intensified within the past 10 or so years, which prompted the County to commission the Timmons study, completed in 2013.
- The Timmons Study recommend options for funding, one of which was creation of a fee-based drainage district.
- In my 20 years working for the County, the Board has never approved residential development due to potential revenues. Residential development generally results in greater expenses (education and emergency services for example) than revenues.
- The proposal is for those who own structures in the drainage area to bear the costs as opposed to a county-wide assessment.
- Based on the scope as currently identified and the fees as currently proposed, we expect a 10-year loan. Once capital projects are completed, there would need to be funds set aside for maintenance. I expect those costs to be significantly lower and the initial fee, to reflect the actual projected expenses.
- Impervious rooftop area is proportionally related to the amount of runoff generated by a property. Many localities in Virginia utilize an impervious area computation to calculate stormwater fees.
- I think there is confusion when it comes to the proposed County budget and the five year Capital Improvements plan. There are no large expenditures, no capital projects, in the proposed budget.

The Public Hearing regarding the proposed fees was delayed due to the COVID-19 crisis. I anticipate that Board will hold the hearing not earlier than June 10, 2020.

I'll share your comments with the Board members.

Stephen

Stephen G. King, P.E.
County Administrator
20 East Gay Street
Harrisonburg VA 22802
540.578.1130

-Lisa

540.564.6095

From: Chris Taylor [mailto:christaylorsemail@gmail.com]
Sent: Wednesday, April 22, 2020 11:39 AM
To: Lisa Perry; sking@rockinghamcounttyva.gov
Subject: Proposed Imposed Residential Stormwater payment

Good Evening Mr. King, Mr. Armentrout and Ms. Perry,

I have received a letter in the mail describing the proposed fees imposed by our local government concerning the Stormwater Authority. I have significant and justified concerns, as a constituent, about the proposal. Please reconsider the proposed fee for mitigation of the flooding in our neighborhoods. My wife and I bought our home in Barrington 10 years ago. We were thoughtful in our purchase and perhaps paid more for our elevated cul-de-sac lot. We worked very hard to afford our home. We were strategic in avoiding neighborhoods that imposed HOA fees too. Now, an HOA-like fee is anticipated, with no benefit to me or many of my neighbors, to resolve the flooding issues for a few homes (likely purchased for a lower cost because they were in low lying areas, dare I say flood zones). In my opinion, the county decision-makers have allowed excess development for additional revenues. The excess development and poor engineering analyses have resulted in flooding, and only realized in the past few years (the problem didn't exist for the first 15 years that we lived here). It seems the county is taking an easy way out on this resolution. Why have a few residents bear the full burden from mistakes made by the county, engineers and developers? Our homes will be devalued/stigmatized, with the imposition of this annual fee and we pay significant taxes as it is. I recommend that the county impose a minimal fee across the board to all residents of Rockingham County. The "fix" will get paid for faster and with far fewer negative impacts. HOW LONG ARE WE EXPECTED TO BEAR THIS BURDEN? 5 years? 10 years? Longer? Do you and the Board of Supervisors not have a responsibility to protect all your constituents?

- How did you conclude that rooftop square footage was a good measurement to determine individual fees?
- Why are large expenditures, valued in the millions of dollars as projects, proposed for future County spending before this problem is fixed and paid up? It doesn't seem like sound management of county funds. If you have a leaky roof, do you purchase a luxury car before getting your roof fixed? Please steward county monies properly!
- When will the county start disallowing mass development on the East side? Drive down Boyers Road and observe the construction of multiple dwelling units from one end of the road to the other. At some point, when developers request permits, the county needs to just say NO!
- Where is the county's accountability and responsibility in this matter since only you can approve all the development that has created this mess?

This is an incredible burden to me and my neighbors who intentionally did not purchase in a flood prone area but now need to carry this financial burden. There has got to be a better way to resolve this issue than to burden a few households for mistakes that are not ours to own. I am in serious opposition to this proposed fee. This fee is unjust to impose on a few homeowners versus holding Rockingham County decision makers accountable. A review of the cited study (see page 48) reveals that it was recommended that homeowners not bear this burden. Please take that recommendation under serious consideration.

I would like a response at your earliest convenience and before a final decision is made. Call me at (540)246-6322.

Thank you,

Chris Taylor
3127 Brookshire Drive

ROCKINGHAM COUNTY

MAR 27 2020

To: Stephen G. King, County Administrator

From: Crown LLC

VIRGINIA

Date: 3/21/20

RE: Lake Shenandoah StormwaterControl

I assume that the County Supervisors and Administrators approved construction in the area (including new construction). The planning district certainly was aware before construction permits were allowed---why was this concern not addressed early and flood control measures not implemented?!

The developer should have been required to address this concern.

Does not all of Rockingham County benefit from this area or are some supervisors passing the issue to avert taxes. Does this sound like democracy? Sounds bad!!

Crown LLC

Crown LLC

ROCKINGHAM COUNTY

APR 01 2020

Date: March 24, 2020

To: Stephen King

County Administrator

From: Melvin and Ora Huffman

Re: Lake Shenandoah Stormwater Control Authority

VIRGINIA

We have concerns about the way that the proposed fees are being calculated and on whom they are being assessed.

First, we would like to address the root cause of the problem. We concede that there is a water runoff problem. The issue is what has changed to cause this problem. From our viewpoint the root cause is that the county has a master development plan that over the past 30 years has encouraged high development in the Lake Shenandoah area. It is now obvious that the master plan did not properly plan for the water runoff that this development would cause. The root cause of the problem is that the master plan was flawed. A good plan would have recognized the need for proper water management. It would have required developers to install the proper culverts and detention ponds that you are now proposing to add. The cost of doing things right the first time is always less than going back and redoing it latter. So now we face higher cost because the original master plan was flawed. Why wasn't it done right to begin with?

Now the county faces the need to go back and fix the problem. Who should pay for the fix becomes the issue. If the master plan had been done correctly to begin with, the developers would have been required to put in the proper curbing and retention ponds to begin with. The expense for doing this would have been a part of the cost of the developments and would have been passed on to their buyers in the cost of the lots that they sold. Therefore, we think that the cost of the fix should be assessed to those people in the developments that have caused the problem, not to long term property owners who were there before the developments were built and the problem existed.

If you are going to pass the cost on to single family homes that have been there more than thirty years then you are penalizing citizens who did not cause the problem. Why should we be held financially responsible for a problem that we did not cause? If you are going to penalize us then why not spread the cost across the entire county? We did nothing different from those who live in Broadway or Elkton, we just live in the same county that had a defective master plan. They should be held responsible for that defective plan just as much as we are being held responsible.

We do not agree with how the actual assessment is being calculated. The cause of the problem is high density housing on small lots. Development has taken land, that absorbs the water, and covered it with houses and townhouses that do not. The correct way to do the cost assessment would be to take the square footage of the rooftops and divide by the square footage of the lots they set on. Townhouses that have almost no yards to absorb their water runoff are being assessed the same cost per square foot as a single-family home that sets on a large lot where their runoff is absorbed. This is not right; you need to assess those that are causing the problem. Very close to our property the county has approved the building of 140 townhouses. That property will be nothing but rooftops and roads and will add to

the water runoff problem. Our single-family home, that is over 30 years old, sets on five acers. Most if not all of our roof runoff is absorbed by our field and trees. Is it fair that you are accessing us at the same rate as those townhouses where all their runoff is an issue? We do not think it is fair that we have to pay at the same rate. Why was the rate established the way it was? Was it just easier to do it that way rather than use common sense knowing that run off is based on both rooftop and size of the lot?

The correct answer to the problem is to hold those who caused the problem financially accountable for the fix. Since we can not go back and access the person or persons who developed the county's master plan for this cost then it should be passed on to those who live in the developments that would have paid higher prices for their lots.

If you choose to hold everyone accountable then pass that accountability to the entire county because the entire county elected the officials years ago that approved a flawed master plan.

If you choose to not do either of these two options, then at least access residents fairly based on their rooftops and the size of their lots.

We strongly feel like we are being unfairly charged for a problem we did not create.


Ora Huffman

From: Stephen King
Sent: Wednesday, April 22, 2020 2:28 PM
To: Greg Zangus
Subject: RE: Storm water authority opposition
Attachments: Stormwater Authority Fee Opposition Z.DOCX

Mr. Zangus,

I'm not going to be able to respond to every point and question in your e-mail, but I will attempt to do so for some.

- Information about the Authority can be found here. <https://www.rockinghamcountyva.gov/799/Lake-Shenandoah-Storm-Water-Authority> We will be updating to provide additional information in the future.
- The flooding problems in the area intensified within the past 10 or so years, which prompted the County to commission the Timmons study, completed in 2013.
- The Timmons Study recommend options for funding, one of which was creation of a fee-based drainage district.
- In my 20 years working for the County, the Board has never approved residential development due to potential revenues. Residential development generally results in greater expenses (education and emergency services for example) than revenues.
- The proposal is for those who own structures in the drainage area to bear the costs as opposed to a county-wide assessment.
- Based on the scope as currently identified and the fees as currently proposed, we expect a 10-year loan. Once capital projects are completed, there would need to be funds set aside for maintenance. I expect those costs to be significantly lower and the initial fee, to reflect the actual projected expenses.
- Impervious rooftop area is proportionally related to the amount of runoff generated by a property. Many localities in Virginia utilize an impervious area computation to calculate stormwater fees.
- I think there is confusion when it comes to the proposed County budget and the five year Capital Improvements plan. There are no large expenditures, no capital projects, in the proposed budget.

The Public Hearing regarding the proposed fees was delayed due to the COVID-19 crisis. I anticipate that Board will hold the hearing not earlier than June 10, 2020.

I'll share your comments with the Board members.

Stephen

Stephen G. King, P.E.
County Administrator
20 East Gay Street
Harrisonburg VA 22802
540.578.1130

From: Greg Zangus [<mailto:gzungus@gmail.com>]
Sent: Wednesday, April 22, 2020 10:42 AM
To: carmentrout@rockinghamcountyva.gov; Lisa Perry; Stephen King; Brent Trumbo; Rick Chandler; Michael Breeden
Subject: Storm water authority opposition

Hello All,
Please see my attached letter for your review in regard to storm water runoff

Regard,
Greg Zangus

From: Casey Armstrong
Sent: Wednesday, March 25, 2020 4:37 PM
To: 'Pat Humphreys'
Subject: RE: Stormwater

Ms. Humphreys,

Thank you for your comments, I will distribute them to the Board of Supervisors.

Additionally, the public hearing that was scheduled for tonight regarding the Lake Shenandoah Stormwater Control Authority has been postponed indefinitely.

Thanks,

-----Original Message-----

From: Pat Humphreys [<mailto:borntocruise1@verizon.net>]
Sent: Wednesday, March 25, 2020 4:31 PM
To: Casey Armstrong
Subject: Stormwater

Regarding the storm water issue, please explain to me why residents in the affected area r being assessed a fee for a number of years. This issue shows the shortsightedness of the county governing body who approved all the developments in this area. It seems to us that the developers as well as the county should cover all associated costs to correct flooding and drainage problems, not fall solely on residents in Barrington, Taylor Springs, etc.

Pat and Steve Humphreys
3305 Berryfield Drive

Sent from my iPhone



Ivon Hoy
516 Spring Oaks Dr
Rockingham, VA 22801

Dear Mr. Chandler,

Here in The Spring Oak
subdivision, there is no problem
with water runoff. These homes
were built with proper drainage
systems.

Why should we have to pay
for the problems created by the
construction of townhomes and
other buildings? If we have to pay,
why not the whole County?

Yours truly,

Ivon Hoy



From: Casey Armstrong
Sent: Wednesday, March 25, 2020 1:05 PM
To: 'Nadine Sengul'
Subject: RE: Lake Shenandoah storm water

Hello Ms. Sengul,

The meeting that was scheduled for tonight to discuss the Lake Shenandoah Stormwater Control Authority has been postponed indefinitely. I will pass your concerns along to the Board of Supervisors,

Thank you,

-----Original Message-----

From: Nadine Sengul [<mailto:nsengul@comcast.net>]
Sent: Wednesday, March 25, 2020 11:32 AM
To: Casey Armstrong
Subject: Lake Shenandoah storm water

I own a home in Kentshire. I have concerns. Will the meeting go on? If yes, I need instructions on how to attend electronically. Please update me on the status.

I feel very strongly that this assessment is unfair and exorbitant. We have been told what our assessment will be with no other information on what is being done or why! I love my neighbors but it is not my responsibility to pay for lots that flood that were purchased in low-lying areas. I personally am not experiencing any flooding because I purchased at a higher elevation. Please update me as soon as possible about the meeting and how I may participate and express my views on this, thank you. I tried calling the county offices and there was no answer.

Nadine Sengul
540-810-3031

Sent from my iPhone

From: Stephen King
Sent: Tuesday, March 24, 2020 11:17 AM
To: schubert.ron@gmail.com
Subject: RE: Online Form Submittal: Email County Administrator

Mr. Schubert,

I will share your comments with the Board members.

Stephen King

Stephen G. King, P.E.
County Administrator
20 East Gay Street
Harrisonburg VA 22802
540.578.1130

From: noreply@rockinghamcountyva.gov [<mailto:noreply@rockinghamcountyva.gov>]
Sent: Monday, March 23, 2020 6:03 PM
To: Stephen King
Subject: Online Form Submittal: Email County Administrator

Email County Administrator

Use this form to request assistance or report a concern. Your name, telephone number and email address are requested so we may contact you should questions arise.

(Section Break)

Contact Information

First Name Ronald

Last Name Schubert

Phone Number 5408107910

Email Address schubert.ron@gmail.com

Street Address: 616 Mystic Woods Lane

Request or concern:

Nature of Request

Stephen G King (with copy to each Supervisor)
County Administrator
20 East Gay Street,
Harrisonburg, VA 22801

Ronald and Beverly Schubert
616 Mystic Woods Lane
Rockingham, VA 22801

Dear sirs

I was quite surprised to receive a letter suggesting our property may have an additional tax assessment to cover the Lake Shenandoah Stormwater region flooding problems. Our property specifically is Map 125-(A)-L180. It is very important to note that our home is surrounded by 8 acres of undeveloped woods. Our neighbors similarly have very large wooded tracts that can't be developed as we are locked in by lack of right of way access. Our home was constructed in 1985 well before Rockingham County experienced explosive growth. When one surveys the surrounding areas there are large developments with significant paving and building developments which are much more likely to contribute to flooding.

I am opposed to the new tax on multiple levels. Specifically our home should be excluded as our property is ideal to help PREVENT flooding with acres of undeveloped woodland. More generally, it seems wrong to single out a limited area and consider a "special" tax of a small region. We are residents of Rockingham county period. Do we have special additional taxes on areas where local residents use more of this or that service? Of course not! Doing this would create a nightmare precedent.

Rockingham county gave building permits to everyone in the Lake Shenandoah Stormwater regio

From: Casey Armstrong
Sent: Wednesday, March 25, 2020 1:11 PM
To: 'Brooke Garrison'; Michael Breeden
Subject: RE: Feedback on stormwater tax to be discussed today per letter in the mail

Ms. Garrison,

Thank you for your feedback, I will be sure to pass your comments along to the Board of Supervisors. Additionally, the public hearing that was scheduled for tonight regarding the Lake Shenandoah Stormwater Control Authority has been postponed indefinitely.

Thank you,

From: Brooke Garrison [<mailto:Brooke.Garrison1@outlook.com>]
Sent: Wednesday, March 25, 2020 12:18 PM
To: Casey Armstrong; Michael Breeden
Subject: Fwd: Feedback on stormwater tax to be discussed today per letter in the mail

To Rockingham County Board of Supervisors:

I would like to express my disapproval that the Board of Supervisors of Rockingham County would proceed to discuss imposing a stormwater runoff tax amid the Coronavirus outbreak. I am not happy that they suggested that people participate through electronic means when schools aren't even releasing homework in Rockingham County due to not everyone in the county having internet access. While this tax will be imposed on only a few neighborhoods, I do not support it for the following reasons:

- Communities should not have the burden of a **permanent tax** for the city's mistake of granting a building permit that should not have been given
- Communities should not have the burden of a **permanent tax** when Virginia's laws are formed in a way for "buyer beware." Legally, it should be the responsibility of the impacted homeowners or funded in a way that is not a permanent burden for the community.
- Communities should not be taxed **permanently** when there is only a finite, one-time cost to the infrastructure that is needed to correct the problem of basements flooding.
- The manner of taxation based off of runoff and square footage of roof is a strongly opposed practice in this area (as demonstrated in neighboring counties with protests and assemblies when they were proposed there), which brings further disappointment to the timing of when this would be discussed while people are distracted with the Coronavirus and are also unable to assemble.
- I do not like that you are discussing introduction of a new tax burden for a couple communities and not informing the entire Rockingham County population, since introducing of a new tax is precedent setting and could eventually lead to impacting the entire county. **The entire Rockingham County should be informed of creation of a new tax within it!**
- A tax on square footage of roof incentivizes high density living, which we have learned amid the Coronavirus can be a dangerous lifestyle.
- Rockingham County has a shortage of rental properties in inventory. Housing rental is a low annual profit business that you are adding an additional burden to cover making this even harder investment for people to participate in.
- I continue to be severely disappointed that you would discuss introduction of a new tax when the country is on the verge of a significant financial crisis.

- Since this new tax could eventually be easily extended to all properties in Rockingham County, I am concerned of this new roof tax implication on the farming industry, which is a low profit margin business.
- I do not like the disregard by saying this is “just a small tax”, “not much money.” It is easy to pass judgment when you are not personally impacted.
- Where is the city planning’s office ownership in this problem? I understand there is supposed to be considerable effort to properly plan this city for growth.
- Consider maybe a single assessment to all Rockingham County’s residents to correct the poor planning and building permitting from Rockingham County instead of introduction of an unpopular, strongly opposed new type of tax.

Respectfully,

Brooke Garrison

Cell: 336-520-8782

Resident of Rockingham County and owner of 5 different properties in Rockingham County

I believe two of my properties are impacted by this proposal at this time.

Primary Residence: 1581 Melrose Rd

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From: Casey Armstrong
Sent: Tuesday, March 24, 2020 2:01 PM
To: 'audiohealth@gmail.com'
Subject: RE: Online Form Submittal: Email Assistant County Administrator

Mr. Fierro,

At this point the Board is considering a possible exemption for farm buildings but no decisions have been made yet.

Additionally, the hearing that was scheduled for March 25th to discuss the Lake Shenandoah Storm Water Control Authority has been postponed indefinitely. I will pass along your comments to the Board of Supervisors,

Thank you,

From: noreply@rockinghamcountyva.gov [<mailto:noreply@rockinghamcountyva.gov>]
Sent: Tuesday, March 24, 2020 11:01 AM
To: Casey Armstrong
Subject: Online Form Submittal: Email Assistant County Administrator

Email Assistant County Administrator

Use this form to request assistance or report a concern. Your name, telephone number and email address are requested so we may contact you should questions arise.

(Section Break)

Contact Information

First Name Arthur

Last Name Fierro

Phone Number 540 421 2495

Email Address audiohealth@gmail.com

Street Address: 3118 Taylor Spring Lane

Request or concern:

Nature of Request Shenandoah watershed tax questions.

I think I have the last old farm in the area on Taylor Spring Lane and as such, I still have the barn and outbuildings which are being taxed.

2 questions asking about any option(s) to lowering the watershed tax burden:

1 Any relief with buildings that have cisterns that holds the water off the roofs?

2. When I owned a building in the city of Harrisonburg, we were given an option to acquire rain barrels for each gutter. Any tax relief if we can do this here in the county
