

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 14<sup>th</sup> day of February, 2017, at the Cumberland County Circuit Court Room:

Present: Kevin Ingle, District 3, Chairman  
William F. Osl, Jr., District 1  
Lloyd Banks, Jr., District 2,  
David Meinhard, District 4  
Vivian Giles, County Administrator | Attorney  
Sara Carter, Planning Director  
Nicci Edmondston, Assistant County Administrator

Absent: Parker Wheeler, District 5, Vice-chairman

**1. Call to Order**

The Chairman called the meeting to order.

**2. Welcome and Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Ingle.

**3. Roll Call**

County Administrator, Vivian Giles, called the roll.

**4. Approval of Agenda**

On a motion by Supervisor Banks and carried unanimously, the Board approved the Agenda as amended:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – absent

**5. State and Local Department/Agencies**

a) Dr. Amy Griffin Superintendent of Cumberland County Schools

Dr. Amy Griffin, School Superintendent, gave the following report to the Board:

- The Virginia WWI and WWII Profiles of Honor Mobile Tour Bus will be coming to Cumberland County. The tentative date is scheduled for March 8-9, 2017 from 9a-3p for students and from 3p-5p for Community members.
- The annual Spelling bee was held in January, and fourth grader, Emily Eroh, was the spelling bee champion.
- The girls Varsity Basketball Team is the number one seed in the Conference 1A Tournament Semifinals.
- Four wrestlers and the boys track team are heading to State.
- Our Forensics Team are the James River District Conference Champions
- Infinity “Bria” Anderson scored her 1,000<sup>th</sup> point in basketball
- The Football Team was awarded the 2016 George Gasser Sportsmanship Award
- March 18, 2017 is the CCCPS Foundation/Centra 5K Walk or Run across High Bridge

b) VDOT

Mr. Scot Shippee provided the Board with a maintenance update:

- Shoulder work on secondary roads
- Clean-up on primary roads
- Intersection in Kimberly Hills Subdivision
- Brush cutting on Rt. 690, Columbia Road has been complete
- Pavement preparations are ongoing for Rt. 610, Duncan Store Road

Mr. Shippee informed the Board that the Rt. 690, Columbia Road and Rt. 45, Cartersville Road intersection relocation project scored very high on the Smart Scale rankings. It is likely that the project will be fully funded once the Commonwealth Transportation Board votes on it in July 2017.

Mr. Shippee introduced the Mr. Todd Repass to the Board. Mr. Repass is the Area Construction Engineer for the Bristol District. Mr. Shippee and Mr. Repass will be exchanging roles for 30 days beginning February 20, 2017.

Supervisor Osl commended the work on Rt. 690, Columbia Road, and is hopeful that the work will be maintained in the future. Supervisor Osl also questioned Mr. Shippee about the possibility of a round-a-bout being installed at the Rt. 690 and Rt. 45 intersection. Mr. Shippee denied that claim, and informed all those in attendance that there is no plan for a round-about at that intersection. There is only the intersection relocation project on Smart Scale Virginia. Supervisor Osl also asked that Mr. Shippee look into the intersection at Rt. 45, Cartersville Road, and Rt. 684, Cartersville Extension.

Ms. Vivian Giles, County Administrator, informed Mr. Shippee that there is a storm drain on Rt. 600, Courthouse Circle that is sinking. This issue has been submitted on the VDoT website twice, the first time over six months ago, and nothing has been done for this safety issue. Mr. Shippee noted this and mentioned

that there has been a change in leadership at the Cumberland Area Headquarters. Mr. James Stone has replaced the prior superintendent who recently retired.

- c) Ms. Robin Sapp, Cumberland Public Library

Ms. Sapp was not present.

- d) Ms. Linda Eanes, Cumberland Extension Office

Ms. Linda Eanes introduced two new staff members, Ms. Amber Anderson, Extension Agent, and Ms. Pauline Stokes, par-time (FCS) Family and Consumer Science Teacher.

- e) Ms. Tiffany Booker, Victim Witness Program Director

On a motion by Supervisor Osl and carried unanimously, the Board approved a Resolution Recognizing April 2-8, 2017 as National Crime Victim's Right's Week:

**Resolution  
Recognizing April 2-8, 2017  
as National Crime Victim's Rights Week**

**February 14, 2017**

**WHEREAS**, Every year in April, the Office for Victims of Crimes (OVC), a division of the Office of Justice Programs, U.S. Department of Justice, helps lead communities throughout the country in their annual observance of National Crime Victim's Rights Week (NCVRW); and

**WHEREAS**, the weeklong initiative promotes victims' rights and honors crime victims and those who advocate on their behalf; and

**WHEREAS**, National Crime Victim’s Rights Week will be commemorated April 2-8, 2017, and this year’s theme ***Strength. Resilience. Justice.*** Reflects this vision of the future; and

**WHEREAS**, this theme is one in which all victims are strengthened by the response they receive; and

**WHEREAS**, with the assistance of this initiative, the organizations are resilient in response to the challenges they face and communities are able to seek collective justice and healing;

**NOW, THEREFORE, BE IT RESOLVED** that the Cumberland County Board of Supervisors, through this resolution, declares the week of April 2-8, 2017 as National Crime Victim’s Rights Week, and urges the citizens of Cumberland County to observe this week by participating in events that raise awareness of victims’ rights and services available to them, and by volunteering to serve victims in their time of need.

**Adopted the 10<sup>th</sup> day of January, 2017.**

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – absent

f) Mr. Tom Perry, Cumberland Emergency Services Director

On a motion by Supervisor Banks and carried unanimously, the Board adopted a Resolution adopting the Cumberland Fire and EMS Ambulance Transport Response Plan:

**Resolution Adopting the Cumberland Fire EMS  
Ambulance Transport Response Plan**

**February 14, 2017**

**WHEREAS**, in October 2012, the Commonwealth of Virginia adopted new regulations pertaining to Emergency Medical Services; and

**WHEREAS**, a requirement under those regulations is that the local elected body, EMS agency, and the Operational Medical Director work in concert to develop EMS response time standards; and

**WHEREAS**, those standards are required to be met in eighty percent of all EMS responses in the locality; and

**WHEREAS**, over the last few months, -Cumberland Fire & EMS; Dr. Joanne Lapetina, Operating Medical Director; and Vivian Giles, Cumberland County Administrator have been working, with guidance from the Cumberland County Board of Supervisors, toward the development of such standards.

**NOW, THEREFORE, BE IT RESOLVED** that the Cumberland County Board of Supervisors adopts the following standards for Emergency Medical Service delivery in Cumberland County:

- Not less than ninety percent of all 911 emergency calls for EMS response shall be classified and processed for dispatch to field resources within two minutes~~ninety seconds~~.
- Licensed transport vehicles ~~first responder vehicles~~ shall respond to calls within fifteen minutes of dispatch.
- Licensed transport units responding to all calls in Cumberland County shall arrive on scene within sixty minutes.  
~~Transport units responding to advanced life support or priority basic life support emergencies shall arrive on scene within thirty minutes of responding to each call.~~

Adopted the 14<sup>th</sup> day of February, 2017.

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – absent

## 6. **Public Comments**

Mr. Lou Seigel voiced concerns with the recently adopted Ambulance Transport Response Plan. Mr. Seigel asked why the County allowed a sixty minute response time. Why do we only have one dispatcher on duty at times? What happens in a time of a major crisis? Mr. Seigel requested that the County remove him and his wife from the LEPC.

Ms. Barbara Hinton asked why the Cartersville Fire Department building is just sitting there, and is the tax rate going up this year? Ms. Hinton asked what became of the \$100,000 that the County gave to someone to bring businesses into the county. People in this County have a right to know what's going on with Republic Services and the landfill. If every landowner if the county paid a fair share of taxes, the county might be a little bit better off.

Mr. Dan Pempel with the Randolph Volunteer Fire Department asked the Board for an update on the telecommunications tower for the Fire House. The Chairman advised that there is nothing to report at this time.

## **7. Public Hearings**

### **a) CA 16-11 One Room School House**

The Chairman opened the public hearing. Although there were no citizens signed up to speak, the Chairman allowed those in the audience to address the Board with questions. The Chairman then closed the public hearing.

On a motion by Supervisor Meinhard and carried unanimously, the Board approved CA 16-11 One Room School House:

**BOARD OF SUPERVISORS  
OF  
COUNTY OF CUMBERLAND, VIRGINIA  
RESOLUTION RECOMMENDING  
PROPOSED AMENDMENT TO THE  
CODE OF CUMBERLAND COUNTY  
CODE AMENDMENT 16-11:  
"AN ORDINANCE AMENDING CHAPTER 74-2 AND 74-  
132 TO ALLOW ONE ROOM SCHOOLHOUSES AS A  
PERMITTED USE IN THE A-2 DISTRICT"**

**February 14, 2017**

At a meeting of the Board of Supervisors of Cumberland County, Virginia, held at the Circuit Courtroom of the Cumberland County Courthouse, Cumberland, Virginia 23040 commencing at 7:00 p.m., February 14, 2017, the following action was taken following a duly held public hearing during which time County staff provided a review of the code amendment proposal and members of the public offered comment:

On a motion made by Supervisor Meinhard, it was moved that the Board of Supervisors of Cumberland County adopt, in accordance with the following Resolution, an ordinance amending Chapter 74-2 and 74-132 Zoning relating to one room schoolhouses;

Following presentation of the Resolution, the Board of Supervisors adopted and approved the Resolution according to the votes stated below:

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<u>Present:</u>	<u>Vote:</u>
Kevin Ingle, Chairman	aye
Parker Wheeler, Vice-Chairman	absent
William F. Osl	aye
Lloyd Banks, Jr.	aye
David Meinhard	aye
<u>Absent:</u>	Supervisor Wheeler

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**WHEREAS**, the Board of Supervisors duly advertised and held a public hearing on February 14, 2017; and

**WHEREAS**, the Board of Supervisors carefully considered the testimony and evidence presented at the public hearing in support or opposition to the proposed Code Amendment; and

**WHEREAS**, in its review of the Code Amendment, the Board of Supervisors gave reasonable consideration to furthering the goals of the County; and

**WHEREAS**, after discussion, staff presentation and due deliberation with respect to such information, including information and materials presented at this public hearing, and the comments in support or

opposition to the proposed Code Amendment, the Board of Supervisors desires to affirm its findings and to take action with respect to the Code Amendment;

**NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, as follows:**

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing, the Board of Supervisors considers it appropriate to amend the Code of Cumberland County in accordance with the specific text and provisions of the Code Amendment as attached hereto and incorporated herein by this reference.
- c. The Board of Supervisors further finds that the Code Amendment is in substantial accordance with the County's Comprehensive Plan and Zoning Ordinance.
- d. Upon consideration of the foregoing, the proposed Code Amendment text, testimony, staff remarks, and public comment, the Cumberland County Board of Supervisors adopts, as set forth in the specific ordinance text as attached hereto, and requests county staff to do and perform such acts necessary and as consistent with this Resolution for recommendation of adoption of the ordinance.
- e. This Resolution is effective immediately.

**Sec. 74-2. Definitions.**

A one-room school house is an accessory structure used as a school house for members of the immediate community, situated on a parcel of at least 20 acres, with no more than a total of 30 students and no larger than 1,000 square feet in size. The school house must meet the same setbacks as the principal structure, use the same VDOT approved entrance as the primary structure, have an average of no more than ten vehicle trips per day, meet Health Department requirements for the provision of water and wastewater, only operate during daylight hours, and allow no provision for overnight accommodation.

**Sec. 74-132. - Permitted uses and structures.**

Permitted uses and structures in the A-2 district are as follows:

- (1) Minor subdivisions, conventional;
- (2) Major subdivisions, cluster;
- (3) Single-family detached dwellings;
- (4) Two-family dwellings;

- (5) Manufactured homes;
- (6) Accessory uses and structures.
- (7) Agriculture, general farming and forestry.
- (8) Boarding, rooming or lodging houses and bed and breakfast inns.
- (9) Boat landings and piers.
- (10) Cabinet-making, furniture and upholstery shops (home-based).
- (11) Cemeteries, family or church (Subject to Virginia Code §57-26)
- (12) Childcare (home-based).
- (13) Churches (less than 100,000 square feet)
- (14) Farm-based equipment sales/service.
- (15) Foster care and adult family care (home-based).
- (16) Garden shops, greenhouses, nurseries.
- (17) Home occupations (Refer to [section 74-2](#)).
- (18) Hunting lodges and clubs and boat clubs.
- (19) In home daycare
- (20) Kennels, private.
- (21) Off-street parking for permitted uses.
- (22) One room schoolhouses
- (23) Poultry processing facilities (Refer to article 74-XXIII)
- (24) Preserves and conservation areas.
- (25) Riding schools, horse breeding establishments, riding stables.
- (26) Sawmills (portable).
- (27) Special events.
- (28) Wayside stands (temporary, seasonable or sale of on-site farm products).

Vote:            Mr. Osl – aye                            Mr. Banks – aye  
                      Mr. Ingle – aye                        Mr. Meinhard – aye  
                      Mr. Wheeler – absent

## **8. County Attorney/County Administrator Report**

- a) Consent Agenda
  - 1) Approval of Bills for January 2017 and February 2017. Approved bills for February 14, 2017 were \$66,799.03. Ratified bills for January 11, 2017 to February 13, 2017 of warrants total \$ 469,498.94 with check numbers ranging from 74408 to 74727. Direct Deposits total \$158,945.39.
  - 2) Approval of Minutes (January 10, 2017)

On a motion by Supervisor Meinhard and carried unanimously, the Board approved the consent agenda:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – absent

b) ACO Animal Intake Policy

On a motion by Supervisor Banks, and carried unanimously, the Board approved the Animal Intake Policy as presented:

**ANIMAL INTAKE POLICY**

The Cumberland County Animal Control has the following policy on animal intake. We take in citizen drop off of stray dogs Monday thru Friday by appointment or as available, and owner surrenders of dogs by appointment only Monday thru Friday as space is available. We pick up stray dogs as needed. We take in surrender of cats at the Cumberland County Animal Shelter by appointment only Monday thru Friday as space is available. Upon arrival at the animal shelter, each animal will be evaluated for any signs of illness or injury, and will be transported to a local veterinary clinic for treatment as needed.

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – absent

**9. Finance Director's Report**

a) Monthly budget Report

There was no discussion regarding the monthly budget report.

b) CCPS Supplemental Appropriation request for grant funds - \$2,500

On a motion by Supervisor Osl and carried unanimously, the Board approved a supplemental appropriation in the amount of \$2,500 for Cumberland County Public Schools for grant funds:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – absent

c) Supplemental Appropriation request for DMV funds - \$106.98

On a motion by Supervisor Osl and carried unanimously, the Board approved a supplemental appropriation request for DMV funds in the amount of \$106.98:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – aye

- d) Appropriation request for the Sheriff's Office - \$1,760.00

On a motion by Supervisor Osl and carried unanimously, the Board approved an appropriation request for the Sheriff's Office in the amount of \$1,760.00:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – absent

**10. Planning Director's Report**

- a) Planning Project update

There was no discussion on the Planning Project updates.

- b) Set public hearing for CA 16-10 Encroachments

On a motion by Supervisor Banks and carried unanimously, the Board set CA 16-10 Encroachments for public hearing on March 14, 2017:

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – absent

**11. Old Business**

N/A

**12. New Business**

N/A

**13. Public Comments (Part 2)**

There were no citizens signed up to speak.

**14. Board Member Comments**

The Supervisors thanked everyone in attendance.

**15. Adjourn into Closed Session-**

On a motion by Supervisor Osl and carried, the Board entered into closed meeting pursuant to the Virginia Code Sections below:

Pursuant to Virginia Code § 2.2-3711.A.7: Consultation with  
Legal Counsel

Subject: Community Host Agreement

Pursuant to Virginia Code § 2.2-3711.A.5: Discussion  
concerning prospective business where no previous  
announcement has been made;

Subject: Lease of County property at the Cumberland  
Community Center

Subject: Lease of County property at the Cumberland  
Business Park

Pursuant to Virginia Code § 2.2-3711.A.4: Discussion  
concerning the privacy of individuals in personal matters not  
related to public business

Subject: Utilization of the sick leave bank

Vote: Mr. Osl – aye                      Mr. Banks – aye  
Mr. Ingle – aye                      Mr. Meinhard – aye  
Mr. Wheeler – absent

**16. Reconvene in Open Session-**

The Board returned to regular meeting on a motion by Supervisor Osl.

A motion was made by Mr. Wheeler and adopted by the following vote:

Mr. Osl - aye  
Mr. Banks - aye  
Mr. Ingle - aye  
Mr. Meinhard - aye  
Mr. Wheeler - absent

That the following Certification of a Closed Meeting be adopted in accordance with The Virginia Freedom of Information Act:

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Cumberland County 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 of Cumberland County.

**17. Additional Information**

- a) Treasurer's Report
- b) DMV Report
- c) Monthly Building Inspections Report
- d) Approved Planning Commission meeting minutes – N/A
- e) Approved IDA meeting minutes – November 22, 2016 and December 9, 2016

**18. Adjourn -**

On a motion by Supervisor Osl and carried, unanimously, the Board adjourned the meeting until February 22, 2017 at 5:00 p.m. in the Board Conference Room for Budget Workshops.

Vote:           Mr. Osl – aye                      Mr. Banks – aye  
                  Mr. Ingle – aye                Mr. Meinhard – aye  
                  Mr. Wheeler – absent

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W.M. Kevin Ingle, Chairman

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Vivian Giles, County Administrator/County Attorney