

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

Present: Kevin Ingle, District 3, Chairman
Parker Wheeler, District 5, Vice-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: None

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

After some discussion, the Board moved item 9d) CAD contract to 5d) under State and Department Agencies.

On a motion by Supervisor Osl 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 – aye

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 Cumberland County Schools Foundation and Centra 5K is Saturday, March 18, 2017
- Ms. Sarah Dunn is leading an Entrepreneur/Leadership Academy for the CHS Seniors at the Cumberland Public Library
- The School Board recognized all the Cumberland Girl Scouts at their meeting the night before
- Senior Wyatt Long is being recognized by the Daughters of the American Revolution with a Citizenship Award
- Caylor Scales was awarded with the NCWIT award for women in technology
- The Virginia Opera visited the elementary School last week where they performed the Three Little Pigs
- JROTC has completed two Raider competitions recently which is a first for the Cumberland program
- The Forensics Team is the 1A East Regional Champions for the third year in a row

- The Girls Basketball team won Regionals and went on to the State Championship. This is also a first for this program in Cumberland

b) VDOT

There was no one from VDOT in attendance

c) Ms. Robin Sapp, Cumberland Public Library

Ms. Sapp gave the following update to the Board:

- The Library held a Holiday boutique where items could be purchased for a fundraiser
- The back patio construction has been completed
- Website update is in the works
- Sweets in the Stacks Fundraiser will be Saturday, March 25, 2017

d) Consider contract for CAD system replacement

County Administrator, Vivian Giles, informed the Board that the Board was provided with a revised recommendation memo regarding the CAD contract. The original memo provided the base bid information received from the recipients. The revised memo includes two years of maintenance and software as well as grant funding that was applied for but permission had not been granted to repurpose the grants for this project at the time that the board packet had been compiled. Staff recommends that the Board approve and award the contract to ID Networks, Inc. for a total of \$194,932, of which \$107,941 will be paid with grant funds and \$86,991 will require county funds. IT Director, Shawn Howard answered some of the Board's technical questions.

On a motion by Supervisor Osl, and carried by the following vote, the Board approved and awarded a contract to

ID Network, Inc. for the Cumberland County Computer Aided Dispatch (CAD) Mobile Client, Law Enforcement Records Management Software (RMS) Solution for the Sheriff's Office in the amount of \$194,932:

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

6. Public Comments

Mr. Larry Thompson voiced his concern with the state of the county buildings and how the county spends money. He stated that Cumberland is a good county and we need to take pride in our county assets. Mr. Thompson asked that the Board look into the benches and the columns in front of the Administration building.

Ms. Judy Chambliss stated that she is a long-time resident of the County. The School Board is asking for a large budget increase that may or may not include a teacher raise. For her, the raise is not an issue. What is an issue is the loss of staff. Six years ago, the School system lost approximately 30 staff members. The current budget as proposed includes a loss of 3 staff members. Please consider more than level funding.

Ms. Suzanne Moore states she feels that some of the citizen comments fall on deaf ears and we are making no progress. Cumberland Social Services is the lowest paid DSS in the area. The County should not have built a new school or cut economic development. You have to keep your employees happy to keep them from finding jobs elsewhere. Cutting positions to save money and redistributing the workload to other employees will only be more costly in the long run. We need to bring in revenue and jobs. Cumberland needs to be more attractive to businesses. We need to be proactive and progressive. Lastly, the county Administrator does not need a six month severance pay; three months is enough.

Mr. James Stinson informed the Board that when he was at Madison Transfer Station, there was a line of vehicles behind a large trash truck with a large amount of trash. The commercial trash truck belongs to Mo Duncan. Mr. Stinson feels that Mr. Duncan should pay to dispose of the trash since he is making a profit.

Ms. Virginia Gills thanked the Board for listening and for their work on the budget. A group of girls, grades 1-4, are helping a shelter in Richmond for a service project. They are raising funds to help and donate to the cause. Some teachers are staying after school for activities voluntarily and without pay as there are no funds available to pay for those afterschool activities.

The Chairman stated that tomorrow he would take a tour of the courthouse square and address his issues of the maintenance needs of the facilities. He thanked those that brought their concerns to the Board and stated that there are businesses that are interested in coming to Cumberland.

The Chairman stated that the citizens' concern with Commercial use of the Transfer Stations is that the business is making a profit and not paying a fee for the disposal. Supervisor Banks asked what the County policy is for commercial use of the transfer stations. County Administrator, Vivian Giles, informed the Board that even if a business hauled county trash, it would still be considered residential trash. Trash that is considered prohibited would be industrial trash. Also, the County pays a fixed rate for a certain tonnage of waste disposal. The County is so far under the designated tonnage that the commercial trash aforementioned has not caused an additional cost to the county to date.

7. Public Hearings

a) CA 16-10 Encroachments

Zoning Administrator, Sara Carter, informed the Board that the Zoning Ordinance allows minor encroachments into required setbacks in most residential districts and in the A-2

district. However, the language is not consistent across all of the districts and is confusing to interpret. The proposed language will make it clearer and consistent across all zoning districts.

The Chairman opened the public hearing. With no citizens signed up to speak, the Chairman closed the public hearing.

On a motion by Supervisor Wheeler and carried unanimously, the Board approved CA 16-10 Encroachments:

**BOARD OF SUPERVISORS
OF
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION RECOMMENDING
PROPOSED AMENDMENT TO THE
CODE OF CUMBERLAND COUNTY
CODE AMENDMENT 16-10:**

**“AN ORDINANCE AMENDING CHAPTER 74-2, 74-136, 74-152, 74-165,
74-185, 74-202, 74-225, 74-242, 74-265, 74-282, 74-305, AND 74-
322 TO ADDRESS ENCROACHMENTS IN THE A-2 AND RESIDENTIAL
DISTRICTS”**

March 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., March 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 Wheeler, it was moved that the Board of Supervisors of Cumberland County adopt, in accordance with the following Resolution, an ordinance amending Chapter 74-2, 74-136, 74-152, 74-165, 74-185, 74-202, 74-225, 74-242, 74-265, 74-282, 74-305, and 74-322 to address encroachments in the A-2 and residential districts;

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

<u>Present:</u>	<u>Vote:</u>
Kevin Ingle, Chairman	aye
Parker Wheeler, Vice-Chairman	aye
William F. Osl	aye
Lloyd Banks, Jr.	aye
David Meinhard	aye
<u>Absent:</u>	none

WHEREAS, the Board of Supervisors duly advertised and held a public hearing on March 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.

Setback means the minimum distance by which any building or structure must be separated from the front, side or rear lot lines, or from the centerline of any road right-of-way on any designated primary highway or from the centerline of any secondary road right-of-way or street right-of-way for any private road.

- (1) For the purposes of this definition, "*primary highway*" shall mean U.S. Route 60, Route 45 and Route 13, and any other public streets and roads shall be deemed to be "secondary road rights-of-way."
- (2) For the purposes of this definition, "*centerline*" shall mean:
 - a. ~~The midpoint of the paved or graveled portion of any two-lane road in the county; or~~
 - b. ~~For that portion of U.S. Route 60 that is four-lane:~~
 - 1. ~~For those structures located in the north side of U.S. Route 60, the midpoint of the paved portion of the west-bound lanes; and~~
 - 2. ~~For those structures located in the south side of U.S. Route 60, the midpoint of the paved portion of the east-bound lanes.~~

DIVISION 2. AGRICULTURAL, GENERAL (A-2) DISTRICT [§1](#)

Sec. 74-136. Setback and yard regulations.

(a) The minimum required setbacks and the minimum required yards shall be as prescribed in Table 2.

TABLE 2		
A-2 SETBACK AND YARD REGULATIONS		
MINIMUM SETBACK REQUIRED (as measured from the center line of any road)	MINIMUM SIDE YARD	MINIMUM REAR YARD
(a) Designated primary highways: 130 feet (b) All other public roads: 75 feet (c) Private roads: 75 feet	(a) 25 feet principal structure (b) 5 feet accessory structures	(a) 35 feet principal structure (b) 5 feet accessory structures

(b) Minor and limited encroachments into the ~~minimum side or rear yards required setbacks of the district as listed above~~ shall be permitted as follows:

- (1) Uncovered stairs and stoops, air conditioners and heat pumps, none of which are more than ten feet in width, may extend five feet into any minimum required ~~yard side or rear setback~~.
- (2) Bay windows, oriels, and chimneys, none of which are more than ten feet in width, may extend three feet into any minimum required ~~yard setback~~.
- (3) Carports may extend five feet into any minimum required side ~~or rear setback~~ yard.
- (4) An accessibility improvement, defined as steps, ramps, and landings affording pedestrian and wheelchair access, may extend into any minimum required ~~yard setback for the required length of the improvement~~.
- (5) The following shall apply to any open (not roofed) deck attached to any existing single-family detached dwelling:
 - (a) Any non-roofed deck may extend five feet into any minimum required side ~~yard or minimum required rear yard setback~~.
 - (b) No deck may extend into any minimum required setback from a public or private road, nor shall such deck extend into any easement or other so encumbered area.

Subdivision III. A-2 Cluster Development Standards

Sec. 74-152. Setback and yard regulations.

(a) The minimum required setbacks and the minimum required yards shall be as prescribed in Table 5.

TABLE 5 A-2 CLUSTER SETBACK AND YARD REGULATIONS		
MINIMUM SETBACK REQUIRED (as measured from the center line of any road)	MINIMUM SIDE YARD	MINIMUM REAR YARD
(a) Public roads: 130 feet	(a) 25 feet principal structure	(a) 25 feet principal structure
(b) All other roads: 50 feet	(b) 5 feet accessory structures	(b) 5 feet accessory structures

(b) Minor and limited encroachments are allowed as prescribed in 74-136 (b).

DIVISION 3. AGRICULTURAL, RURAL LARGE LOT (A-20) DISTRICT

Sec. 74-165. Setback and yard regulations.

(a) The minimum required setbacks and the minimum required yards shall be as prescribed in Table 8.

TABLE 8 A-20 SETBACK AND YARD REGULATIONS		
MINIMUM SETBACK REQUIRED (as measured from the center line of any road)	MINIMUM SIDE YARD	MINIMUM REAR YARD
All roads: 200 feet	(a) 100 feet principal structure	(a) 100 feet principal structure
	(b) 25 feet accessory structures	(b) 25 feet accessory structures

(b) Minor and limited encroachments are allowed as prescribed in 74-136 (b).

ARTICLE V. RECREATIONAL AREA ACCESS (RA-1) DISTRICT [6](#)

DIVISION II. RA-1 CONVENTIONAL DEVELOPMENT STANDARDS

Sec. 74-185. Setback and yard regulations.

(a) The minimum required setbacks and the minimum required yards shall be as prescribed in Table 11.

TABLE 11 RA-1 SETBACK AND YARD REGULATIONS

MINIMUM SETBACK REQUIRED (as measured from the center line of any road)	MINIMUM SIDE YARD	MINIMUM REAR YARD
(a) Designated primary highways: 150 feet	(a) 25 feet principal structure	(a) 50 feet principal structure
(b) State Route 622: 150 feet	(b) 5 feet accessory structures	(b) 5 feet accessory structures
(c) All other public roads: 75 feet		
(d) Private roads: 75 feet		
(e) Cul-de-sac: 50 feet on a cul-de-sac; — must provide 50% of the minimum lot width at the building setback line.		

(b) Minor and limited encroachments are allowed as prescribed in 74-136 (b).

DIVISION III. RA-1 CLUSTER DEVELOPMENT STANDARDS

Sec. 74-202. Setback and yard regulations.

(a) The minimum required setbacks and the minimum required yards shall be as prescribed in Table 14.

MINIMUM SETBACK REQUIRED (as measured from the center line of any road)	MINIMUM SIDE YARD	MINIMUM REAR YARD
(a) Public roads: 500 feet.	(a) 25 feet principal structure.	(a) 25 feet principal structure.
(b) All other roads: 150 feet.	(b) 5 feet accessory structures.	(b) 5 feet accessory structures.

(b) Minor and limited encroachments are allowed as prescribed in 74-136 (b).

ARTICLE VI. RESIDENTIAL, GENERAL (R-1) DISTRICT [\[7\]](#)

DIVISION II. R-1 CONVENTIONAL DEVELOPMENT STANDARDS

Sec. 74-225. Setback and yard regulations.

(a) The minimum required setbacks and the minimum required yards shall be as prescribed in Table 18.

TABLE 18			
R-1 SETBACK AND YARD REGULATIONS			
	MINIMUM SETBACK REQUIRED (as measured from the center line of any road)	MINIMUM SIDE YARD	MINIMUM REAR YARD
Base	(d) Designated primary highways: 130 feet.	(c) 15 feet principal structure.	(c) 35 feet principal structure.
	(e) All other roads: 75 feet.	(d) 5 feet accessory structures.	(d) 5 feet accessory structures.
Bonus over base	(a) Designated primary highways: 130 feet.	(a) 5 feet all structures.	(a) 25 feet principal structure.
	(b) All other public roads: 75 feet.		(b) 5 feet accessory structures.
	(c) Private roads: 45 feet.		

(b) Minor and limited encroachments are allowed as prescribed in 74-136 (b).

~~(b) Minor and limited encroachments into the minimum side or rear yards as listed above shall be permitted as follows:~~

- ~~(1) Uncovered stairs and stoops, air conditioners and heat pumps, none of which are more than ten feet in width, may extend five feet into any minimum required yard.~~
- ~~(2) Bay windows, oriels, and chimneys, none of which are more than ten feet in width, may extend three feet into any minimum required yard.~~
- ~~(3) Carports may extend five feet into any minimum required side yard.~~

~~(4) An accessibility improvement, defined as steps, ramps, and landings affording pedestrian and wheelchair access, may extend into any minimum required yard.~~

~~(5) The following shall apply to any open (not roofed) deck attached to any existing single-family detached dwelling:~~

~~(a) Any non-roofed deck may extend five feet into any minimum required side yard or minimum required rear yard.~~

~~(b) No deck may extend into any minimum required setback from a public or private road, nor shall such deck extend into any easement or other so encumbered area.~~

DIVISION III. R-1 CLUSTER DEVELOPMENT STANDARDS

Sec. 74-242. Setback and yard regulations.

(a) The minimum required setbacks and the minimum required yards shall be as prescribed in Table 22.

TABLE 22 R-1 CLUSTER SETBACK AND YARD REGULATIONS			
	MINIMUM SETBACK REQUIRED (as measured from the center line of any road)	MINIMUM SIDE YARD	MINIMUM REAR YARD
Base	(a) Designated primary highways: 130 feet.	(c) 15 feet principal structure.	(a) 25 feet principal structure.
	(b) All other roads: 50 feet.	(d) 5 feet accessory structures.	(b) 5 feet accessory structures.
Bonus over base	(a) Designated primary highways: 130 feet. (b) All other roads: 50 feet.	(a) 5 feet all structures.	(a) 25 feet principal structure. (b) 5 feet accessory structures.

(b) Minor and limited encroachments are allowed as prescribed in 74-136 (b).

DIVISION II. R-2 CONVENTIONAL DEVELOPMENT STANDARDS

Sec. 74-265. Setback and yard regulations.

(a) The minimum required setbacks and the minimum required yards shall be as prescribed in Table 26.

TABLE 26
R-2 SETBACK AND YARD REGULATIONS

	MINIMUM SETBACK REQUIRED (as measured from the center line of any road)	MINIMUM SIDE YARD	MINIMUM REAR YARD
Base	(a) Designated primary highways: 130 feet.	(a) 25 feet principal structure.	(a) 35 feet principal structure.
	(b) All other roads: 75 feet.	(b) 15 feet accessory structures.	(b) 15 feet accessory structures
Bonus over base	(a) Designated primary highways: 130 feet.	(a) 10 feet principal structure.	(a) 25 feet principal structure.
	(b) All other public roads: 75 feet.	(b) 5 feet accessory structures.	(b) 5 feet accessory structures.
	(c) Private roads: 45 feet.		

(b) Minor and limited encroachments are allowed as prescribed in 74-136 (b).

~~(b) Minor and limited encroachments into the minimum side or rear yards as listed above shall be permitted as follows:~~

- ~~(1) Uncovered stairs and stoops, air conditioners and heat pumps, none of which are more than ten feet in width, may extend five feet into any minimum required yard.~~
- ~~(2) Bay windows, oriels, and chimneys, none of which are more than ten feet in width, may extend three feet into any minimum required yard.~~
- ~~(3) Carports may extend five feet into any minimum required side yard.~~
- ~~(4) An accessibility improvement, defined as steps, ramps, and landings affording pedestrian and wheelchair access, may extend into any minimum required yard.~~
- ~~(5) The following shall apply to any open (not roofed) deck attached to any existing single-family detached dwelling:~~
 - ~~(a) Any non-roofed deck may extend five feet into any minimum required side yard or minimum required rear yard.~~
 - ~~(b) No deck may extend into any minimum required setback from a public or private road, nor shall such deck extend into any easement or other so encumbered area.~~

(Ord. No. 11-05, § c, 7-12-2011)

DIVISION III. R-2 CLUSTER DEVELOPMENT STANDARDS

Sec. 74-282. Setback and yard regulations.

(a) The minimum required setbacks and the minimum required yards shall be as prescribed in Table 30.

TABLE 30			
R-2 CLUSTER SETBACK AND YARD REGULATIONS			
	MINIMUM SETBACK REQUIRED (as measured from the center line of any road)	MINIMUM SIDE YARD	MINIMUM REAR YARD
Base	(a) Designated primary highways: 130 feet.	(a) 25 feet principal structure.	(a) 25 feet principal structure.
	(b) All other roads: 50 feet.	(b) 5 feet accessory structures.	(b) 5 feet accessory structures.
Bonus over base	(a) Designated primary highways: 130 feet.	(a) 10 feet principal structure.	(a) 25 feet principal structure.
	(b) All other roads: 50 feet.	(b) 5 feet accessory structures.	(b) 5 feet accessory structures.

(b) Minor and limited encroachments are allowed as prescribed in 74-136 (b).

DIVISION II. R-3 CONVENTIONAL DEVELOPMENT STANDARDS

Sec. 74-305. Setback and yard regulations.

(a) The minimum required setbacks and the minimum required yards shall be as prescribed in Table 33.

TABLE 33 R-3 SETBACK AND YARD REGULATIONS		
MINIMUM SETBACK REQUIRED (as measured from the center line of any road)	MINIMUM SIDE YARD	MINIMUM REAR YARD
(a) Designated primary highways: 130 feet.	(a) 50 feet principal structure.	(a) 75 feet principal structure.
(b) All other public roads: 75 feet.	(b) 15 feet accessory structures.	(b) 15 feet accessory structures.
(c) Private roads: 75 feet.		

(b) Minor and limited encroachments are allowed as prescribed in 74-136 (b).

~~(b) Minor and limited encroachments into the minimum side or rear yards as listed above shall be permitted as follows:~~

~~(6) Uncovered stairs and stoops, air conditioners and heat pumps, none of which are more than ten feet in width, may extend five feet into any minimum required yard.~~

~~(7) Bay windows, oriels, and chimneys, none of which are more than ten feet in width, may extend three feet into any minimum required yard.~~

~~(8) Carports may extend five feet into any minimum required side yard.~~

8. County Attorney/County Administrator Report

a) Consent Agenda

- 1) Approval of Bills for February 2017 and March 2017. Approved bills for March 14, 2017 were \$46,580.55. Ratified bills for February 15, 2017 to March 13, 2017 of warrants total \$604,880.06 with check numbers ranging from 74408 to 74727. Direct Deposits total \$158,945.39.
- 2) Approval of Minutes (February 14, 2017, February 22, 2017, and February 23, 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 – aye

b) Adopt revised Board minutes from August 2016

On a motion by Supervisor Meinhard, and carried unanimously, the Board approved the revised minutes of the Board from August 2016 as presented:

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

c) County Attorney | County Administrator contract renewal

The Board discussed the proposed changes to the contract. The termination date of the contract was set for June 30, 2020. The severance term was originally 90 days and the change proposed was 180 days. The Board decided

to keep the 90 day severance term. The proposed change in salary reflects a five percent salary increase for all county employees in 2016. The Board decided to change the salary to \$149,900 to reflect an even amount for easier budgeting. Supervisor Banks inquired if the County is actually saving any money by combining the County Administrator and County Attorney positions. How much money are we spending on outside counsel? The Chairman stated that day to day legal questions and county meetings would be handled by Ms. Giles. Matters that surpassed a particular skillset would require outside counsel.

On a motion by Supervisor Meinhard and approved unanimously, the Board approved the renewal of the County Attorney | County Administrator contract with Vivian Giles through 2020 with the aforementioned changes:

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

d) Committee Appointments

i. Planning Commission

No action was taken on this item.

ii. Southside Virginia Community College Board

On a motion by Supervisor Banks and carried unanimously, the Board appointed Mr. Jeff Scales to the Southside Virginia community College Board:

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

iii. Economic Development Authority

No action was taken on this item.

9. Finance Director's Report

a) Monthly budget Report

There was no discussion regarding the monthly budget report.

b) Request for appropriation for Circuit Court - \$18,975.40

On a motion by Supervisor Wheeler and carried unanimously, the Board approved an appropriation for the Circuit Court in the amount of \$18,975.40:

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

c) Appropriation request for the Sheriff's Office - \$1,642.00

On a motion by Supervisor Wheeler and carried unanimously, the Board approved an appropriation request for the Sheriff's Office in the amount of \$1,642.00:

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

10. Planning Director's Report

a) Planning Project update

There was no discussion on the Planning Project updates.

b) Set public hearing for CUP 17-01 HJ Emerald Enterprises

On a motion by Supervisor Osl and carried unanimously, the Board set CUP 17-01 HJ Emerald Enterprises for public hearing on April 11, 2017:

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

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

Supervisor Banks voiced his concern with the frequent requests for funds, and would like more time to consider supplemental appropriation requests. He has received complaints about county employees driving county vehicles home or outside of the county.

Supervisor Meinhard thanked those in attendance. The Board made the second best decision tonight since he became a Board member tonight, which was renewing Ms. Giles contract. The best decision, he continued, was hiring her in the first instance.

The Chairman thanked those in attendance, and thanked all the citizens who voiced their concerns during public comments. This is your time and your right to voice your concerns. The Board felt the need to respond to your concerns.

15. Adjourn into Closed Session-

On a motion by Supervisor Wheeler 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: Contract Negotiations

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

16. Reconvene in Open Session-

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

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 - aye

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 - November 28, 2017, January 3, 2017 and January 23, 2017
- e) Approved IDA meeting minutes - N/A

18. **Adjourn** -

On a motion by Supervisor Osl and carried, unanimously, the Board adjourned the meeting until April 4, 2017 at 7:00 p.m. in the Circuit Court room of the Cumberland Courthouse for a Budget Public Hearing.

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

W.M. Kevin Ingle, Chairman

Vivian Giles, County Administrator/County Attorney