

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 11th day of April, 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
Nicci Edmondston, Assistant County Administrator

Absent: Sara Carter, Planning Director

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

The Board amended the agenda presented by reinstating the closed session items 15 and 16 on the agenda. The Board will go into closed session under VA Code § 2.2-3711A.5. Discussion regarding a prospective business or industry where no previous announcement has been made.

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 – 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:

- Dr. Jeff Scales successfully defended his dissertation, and is now Dr. Jeff Scales.
- The 2017 Class Valedictorian is Kaylah Paras and 2017 Salutatorian is John Jeffries.
- Mr. Michael Camden is the new Middle School Principal
- Brittney Price is a 2017 VHSL Champion in extemporaneous speaking, John Jeffries placed 3rd in humorous interpretation, and Kaylah Paras placed 3rd in poetry interpretation
- Infinity “Bria” Anderson is Cumberland’s first young woman to play on the Virginia All-Star 1AE State Basketball Team.
- Seniors Mary-Kate Perry is going to play softball at Emory and Henry College, and Jalen Gilliam will play football at the apprentice school in Newport News.
- There are 6 girls and 4 boys that are rising juniors who will attend Governors school next year.

- Caylor Scales was selected to be the 2017 Southside Electric Washington Youth Tour participant
- The Middle School Color Guard placed first in their first competition
- Senior Brittney Price has won a JROTC Scholarship to the University of South Carolina, and was accepted into the US Naval Academy

b) VDOT

Mr. Scot Shippee gave the following report:

- Maintenance crews are working on springtime activities which include patching on hard surface roads including Rt. 45 South
- Pipework
- Once the patchwork is complete, crews will complete the Rural Rustic project on Route 605
- Rt. 610 should be getting some asphalt and improving sight distance
- Supervisor Osl has asked for a public information meeting for the proposed road improvements at Rt. 690, Columbia Road, and Rt. 45N, Cartersville Road. This meeting will be held on May 1, 2017 at 6pm in Cartersville, the exact location is to be determined.
- There is enough money in the secondary six year plan to asphalt approximately 9 miles of road in Cumberland, and Mr. Shippee is looking for suggestions from Board members. Mr. Shippee would like to have the public hearing on the plan in June 2017.

Supervisor Osl asked for Mr. Shippee to bring an inventory of the unpaved roads in the county. Supervisor asked for Rt. 6213 to be added to the secondary six year plan.

- c) Ms. Robin Sapp, Cumberland Public Library

Ms. Sapp was not in attendance.

6. **Public Comments**

Mrs. Carol Miller asked whether the schools were accredited. Ms. Miller did say that Dr. Griffin did answer her question before the meeting.

Dr. Christine Ross stated that although reluctant, the School Board voted in favor of the debt refinance in 2016 in the hopes that the County would set the savings of \$1, 072,000.00 in the reserve fund. Dr. Ross asked that the Board fully fund Dr. Griffin's budget request, not what has been proposed by the county. The School requested an additional \$300,000 over level funding.

Mrs. Patty Pedrick informed those in attendance that the Women's Club of Cumberland planted a pinwheel garden at the Middle School. This pinwheel garden was planted to bring awareness to child abuse. Mrs. Pedrick also requested that the Board remove the Land Use Program to bring in additional revenue to the County.

Mr. Dan Pempel requested an update on the telecommunications tower. He also asked for clarification on a newspaper article regarding the Republic Landfill on Rt. 60. Supervisor Ingle stated that he would get answers to Mr. Pempel's questions.

Supervisor Meinhard reminded those in attendance that any citizens that may want to comment on the 2017 tax rates, CIP or 2017 budget, tonight is the night for public comments. There will be no public comments heard at the meeting next week.

7. **Public Hearings**

- a) CUP 17-01 HJ Emerald Enterprises

County Administrator, Vivian Giles, informed the Board that HJ Emerald Enterprises in seeking a CUP to develop a general store in an existing house at 1368 Columbia Road. The house would be used for both a store and an apartment. There are existing sheds on the property that would be removed. Supervisor Osl asked who regulates condition #5 regarding entrance improvements required when the trips to the site per day exceed 50. Ms. Giles stated that the applicant would be responsible for regulation of this condition.

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

On a motion by Supervisor Banks and carried unanimously, the Board approved CUP 17-01 HJ Emerald Enterprises:

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

County Administrator, Vivian Giles gave a presentation to the Board and all those in attendance regarding the proposed 2017 budget, tax rates and 2017-18 thru 2021-22 Capital Improvements Plan. A copy of the presentation is in the official Board File. The proposed budget plans for level funding with few exceptions. One of those exceptions is Emergency Services as the County has had to absorb the cost of funding paid rescue personnel at Cumberland Volunteer Rescue Squad. Child Services Act expenditures have increased by a projected \$100,000; Health Insurance rates increased slightly; and the county has to plan for the Real Estate Reassessment this fiscal year (\$75,000). Some county Departments, one specifically being the Sheriff's Department, had been previously under-budgeted and required a budget increase of an estimated \$50,000. Ms. Giles gave a review of the overall proposed budget, tax rates and CIP.

b) Proposed 2017 tax rates

The Chairman opened the public hearing. Ms. Undra Deshazor asked what has been done regarding collecting overdue taxes, and asked Ms. Giles if the taxes are stable until reassessment. Ms. Deshazor asked why the County doesn't take the \$300,000 requested by the school from the reserve fund. Isn't that what was done with the funds for the shell building? What was the \$500,000 annual loss of revenue that Ms. Giles mentioned? Chairman Ingle informed those in attendance that the \$500,000 annual payment was from the Host Community Agreement. The last payment was in 2015.

Evelyn Kimbrough stated that meetings need to be posted, and that the County Administrative offices need to tighten their budgets. Prioritize the capital improvements before spending the money. Board members need to seek out revenue for the county. What can we do? We can do more than tax the citizens to death. Ms. Kimbrough asked how many teachers are also residents of the county.

Dr. Christine Ross questioned whether the proposed 2017 tax rates differ from last year. Ms. Giles stated that they were the same. Dr. Ross stated that the published tax rates show a proposed increase in the airplane tax, and Ms. Giles stated that was a typographical error on the handout only, not in the rates published in the newspaper. Dr. Ross was upset that a mistake was made.

With no other citizens signed up to speak, the Chairman then closed the public hearing. Supervisor Osl wanted to make a clarification regarding the CIP. The only item included in the CIP is the Sheriff's Department vehicles.

c) FY 2017-18 Budget

The Chairman opened the public hearing for the FY 2017-18 Budget. Dr. Ross gave her time to Dr. Griffin.

Dr. Amy Griffin stated that there are 109 staff members that are citizens of Cumberland County. When the budget process began, the School Board began with a deficit due to a decrease in state funding, decrease in federal funding, an increase in VRS costs, an increase in health insurance costs, and an increase in special education costs. The budget also includes a 1% bonus for all employees with the exception of Administrators. Even if the Board of Supervisors funds the Schools with the additional \$300,000 requested, the Schools would be operating on \$47,000 less than the current year and will require the elimination of 3 positions.

Mrs. Ashley Long stated that she is a teacher, parent, and citizen. She is also a Cumberland Education Association representative of Cumberland County Public Schools. \$516,613 is what is really needed for the School's budget, and provided visual representations to what Dr. Griffin had presented.

Ms. Parish Mort stated that she has attended several meetings on the Cobbs Creek Reservoir. Economic Development will not happen in this community without affordable housing and top-rated schools. People will not want to live in Cumberland without those resources. In order to help the county grow, you need to invest in the schools. Less teachers equal larger class sizes. It also equals less programs. The additional funding for the Schools should come from the reserve fund. When Ms. Giles gave the budget presentation, she stated that the departments were generally level funded with notable exceptions. Ms. Mort stated that the students are a notable exception, and the teachers are a notable exception.

With no other citizens signed up to speak, the Chairman then closed the public hearing.

Supervisor Osl stated that he is deeply conflicted with the School Board's budget. Before the recession, the School Board and the Board of Supervisors worked hand in hand. Salaries at the School system were the best in our region. We

have lost revenue in the county. Housing starts are 10% what they were. Salaries across Cumberland County are not competitive. Some of the revenue the School lost was based on a lower number of students in the school, a per pupil cost. If the County analyzes its contribution based on the same formula, the county funding would also be reduced. Level funding means that the county has increased the per pupil amount given to the school over the last several years. Supervisor Osl stated that he would like to continue to work with the School throughout the year to target specific programs that will assist the School System.

Supervisor Meinhard said that he also would love to fully fund the Schools, but in order to approve the \$300,000 above level funding, that would mean a \$0.04 to \$0.045 increase in real estate taxes. The \$516,613 that the Schools need to keep their budget level would be somewhere between a \$0.07 to \$0.08 tax increase. I don't think anyone out there wants to see their tax rate go up \$0.07. The tax rate is going to be more important to a business looking to relocate than a top-rated school system.

d) CIP FY 2017-18 thru 2021-22

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

Chairman Ingle stated that there are projects that have been on the Capital Improvement Plan for many years and have not been funded. These projects are going to catch up to us at some point. Cumberland County does get business requests. We are doing everything to promote any type of business, large or small, to come into the county. No businesses are being deterred.

8. County Attorney/County Administrator Report

a) Consent Agenda

- 1) Approval of Bills for March and April 2017. Approved bills for April 11, 2017 were \$46,045.64. Ratified bills for March 15, 2017 to April 10, 2017 of warrants total \$175,267.38 with check numbers ranging from 74847 to 75074. Direct Deposits total \$161,650.05.
- 2) Approval of Minutes (March 14, 2017, and March 22, 2017)
- 3) Revised February 14, 2017 minutes

On a motion by Supervisor Banks 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) Committee Appointments

- i) Planning Commission- Mr. William Flippen

On a motion by Supervisor Banks and carried unanimously, the Board appointed Mr. William Flippen to the Planning Commission to complete the unexpired term of Mr. Larry Atkins which will expire on December 31, 2017:

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

- ii) Economic Development Authority – Mr. Jack Lawhorne

On a motion by Supervisor Banks and carried unanimously, the Board appointed Mr. Jack Lawhorne to the Economic Development Authority for a three year term to expire on May 31, 2020 to replace Mr. Lester Nyce:

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

c) CodeRVA Resolution

On a motion by Supervisor Meinhard and approved unanimously, the Board approved the CodeRVA Resolution as presented:

CodeRVA RESOLUTION

April 11, 2017

WHEREAS, the School Boards of the Counties of Chesterfield, Cumberland, Dinwiddie, Goochland, Hanover, Henrico, New Kent, Powhatan, Prince George and Sussex, and the Cities of Colonial Heights, Hopewell, Petersburg and Richmond (the “School Boards”), pursuant to Virginia Code §22.1-26 and regulations of the Virginia Board of Education, operate and control a joint school known as CodeRVA as set forth in a written Agreement to Establish and Operate the CodeRVA Regional High School (“CodeRVA Agreement”) signed by the School Boards; and

WHEREAS, the School Boards seek to ensure the responsible operation and management of CodeRVA; and

WHEREAS, Virginia Code § 22.1-118 and Section V of the CodeRVA Agreement requires the School Boards to appoint a fiscal agent; and

WHEREAS, Henrico County is a participating locality and is willing to serve as the fiscal agent for CodeRVA as set forth in Section V of the CodeRVA Agreement.

NOW, THEREFORE, the **Cumberland County Board of Supervisors**, agrees that upon approval by the **Henrico Board of Supervisors**, the Director of the Department of Finance for Henrico County shall serve as fiscal agent for CodeRVA.

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

9. Finance Director’s Report

- a) Monthly budget Report

There was no discussion regarding the monthly budget report.

10. Planning Director’s Report

- a) Planning Project update

There was no discussion on the Planning Project updates.

- b) Set public hearing for REZ 17-01 T&B Landscaping and Tree Service

On a motion by Supervisor Banks and carried unanimously, the Board set REZ 17-01 T&B Landscaping and Tree Service for public hearing on May 9, 2017:

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

c) Request for CA 16-11 One room School House revision

At the February 14, 2017 Board of Supervisors meeting, the Board held a public hearing and adopted an Ordinance amendment that allows one room schoolhouses as a by-right use in the A-2 district. The intent was to allow the construction of these buildings in the Old-Order Amish community that is growing in the southern end of the county. When one of the church members came in for a permit, it was noted that the plans he submitted exceeded the square footage of the building originally proposed and that the February code amendment allowed. The limitation is currently 1,000 square feet, and staff is proposing that size be changed to 1,500 square feet.

On a motion by Supervisor Meinhard and carried unanimously, the Board rescinded the vote on CA 16-11 One Room School House taken on February 14, 2017 and re-adopted CA-16-11 to amend Cumberland County Code Sec. 74-2 to read as follows:

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

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 ~~4,000~~ 1,500 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.

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)

Mrs. Ashley Long thanked the Board for the time and for hearing the citizens. I am a teacher and a parent. I am a part of the 76%. I have a larger than most household. I have 9 children that I am raising, two of which are my own. My 9 children will be affected by your decision. What you decide affects what they could become. You have a huge decision to make.

Ms. Kim Williamson is a parent, teacher, and citizen. My oldest will graduate this year, third in her class, and was able to attend the Governor’s School and earn her Associate’s Degree through the STEM program. But when I look at my younger two children, will they still be afforded the same opportunities?

Ms. Ginny Gills states that she is grateful for those who work in Cumberland although they do not live in the county as it provides variety. The Schools are going to have to do more with less. We are grieving because we are losing six positions. Please find a way to fully fund the budget as presented by Dr. Griffin.

Ms. Parish Mort stated that she knows the Board is sympathetic to the schools’ needs. I hear you when you say you can’t fund all of it. Fund part of it. Save one teacher. Thank you for your time and service.

14. Board Member Comments

Supervisor Osl stated that if we had the funds, I would be looking to fully fund the Schools, not just the \$300,000, but all of it. I would be sure that the salaries across Cumberland were competitive, including the teachers. The last time we did that, all three schools were fully accredited. I would love to be able to do that again. I would love to be able to reduce our tax rate, but we do not have the wherewithal to accomplish all that.

Supervisor Meinhard stated that there is the capability of funding some things. The County could rescind the Land Use Tax Program. This could reduce the tax rate and fully fund the schools. However, losing the Land Use Program is not likely to happen.

The Chairman thanked those in attendance, and thanked the school representatives for their concerns and for their results. I am a CHS alumnus and have received as good an education as anyone. We are still trying to figure out what we can do. I have two children who went through Cumberland schools and did very well. We are considered an impoverished county and are at the top of what we can charge for tax rates. This is just a projected budget and we know you want the schools to have support.

Supervisor Wheeler stated that the Board looks at all of the citizens and has to decide what is best for the citizens. He is asking for the citizens' help. We try to do our best. We are going to make the best decision we can on the budget.

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.5: Discussion regarding a prospective business where no previous announcement has been made

Subject: New business prospect on Route 60

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 Osl.

A motion was made by Supervisor Osl 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 – N/A
- e) Approved EDA meeting minutes – N/A

18. Adjourn -

On a motion by the Chairman and carried, unanimously, the Board adjourned the meeting until April 18, 2017 at 7:00 p.m. in the Circuit Court room of the Cumberland Courthouse for a meeting to take action on the proposed 2017 budget, 2017 tax rates, and 2017-18 thru 2021-22 CIP.

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