

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 12th day of March, 2013, at the Cumberland County Circuit Court Room:

Present: William F. Osl, Jr., District 1
Lloyd Banks, Jr., District 2, Vice-Chairman
Kevin Ingle, District 3
David Meinhard, District 4, Chairman
Parker Wheeler, District 5
Vivian Giles, County Administrator / Attorney
Rachel Falkenstein, Planning & Zoning
Howard Paras, Finance Director
Meghan Allen, Deputy Clerk

Absent: NONE

1. Invocation and Pledge of Allegiance

The Invocation and Pledge of Allegiance was led by Supervisor Banks.

2. Approval of Agenda

On a motion by Supervisor Osl and carried the Board approved the Agenda as amended:

New Item 6. Finance Director's Report
f) Appropriation of \$10,519.37 Treasurers Office

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

3. Public Comments

There were two (2) citizens signed up to speak. Their comments for the board included: expressing concern with Supervisor Wheeler's unpaid taxes, requesting him to resign, alleging that Mr. Wheeler does not answer calls from his constituents, alleging that the Board is not following the Code of Ethics and Standards of Conduct, and advising that signatures have been collected from citizens for the removal of Supervisor Wheeler from the Board.

4. State and Local Departments / Agencies

a) VDOT

There was no representative present from VDOT.

b) Dr. Amy Griffin, Superintendent of Cumberland County Public Schools

Dr. Griffin advised the Board that the School Board met and recognized students; School Board approved the FY 2013-14 Budget and School Calendar. The Calendar is posted on the website. She will be going to the Board of Education to request permanent waiver to allow school to begin before Labor Day. Cumberland County Public School Foundation is holding 5k Saturday at High Bridge Trail. Cumberland will receive the 2013 Virginia Tech School of Education Excellence in Education Award and will receive a monetary award of \$1,000. Writing SOL assessments are beginning; Delegate Tommy Wright visited the Elementary School and brought workbooks for the third and fourth graders. The YMCA is providing swimming lessons for the second (2nd) graders once a week for six (6) weeks. Request

that parents to monitor their children's Facebook page. Alexa Massey in the Regional Forensics Competition and will be competing in the State Competition, Alex Bapties placed 4th in the JROTC National Championship and will be shooting in the Inter-service JROTC National Championship in March. Team Win, the new parent group at the Elementary School, through the book fair donated 429 books to the Elementary School. The buzzer systems have been installed at all the schools. March 25th is the next Community Lunch, the Chamber of Commerce will be attending.

c) Mr. James Dayton, Assistant Manager Bear Creek Lake State Park

There was no representative present from Bear Creek Lake State Park.

d) Ms. Mary Hickman, Commonwealth Regional Council

Ms. Mary Hickman reviewed the annual report that she provided the Board. She reviewed some of the general services that the CRC provides such as grant writing and grant administration, updating the Comprehensive Plan, mapping and geographical services, and statistical services. Current services provided to Cumberland are assisting the Planning Commission with updating the Comprehensive Plan. Regional projects that affect or involve the County are: the Annual Rural Transportation Program, which is highlighted in the report; and The Regional Hazard Mitigations Plan, where all localities are working together. Ms. Hickman noted that by participating in this the County becomes eligible for FEMA funding. Ms. Hickman reviewed some of the benefits of being a CRC member such as: being part of a regional community, having an important voice, increase of

effectiveness, and receiving value for investment. She also stated that the CRC provides support efficiently, and is financially strong.

e) Mr. Arthur Petrini, P.E., Director of Utilities, Henrico County

Mr. Arthur Petrini reviewed a PowerPoint presentation for the Board regarding the general design of the reservoir and the project plan. He also updated the Board on the statues of the project. There were no questions from the Board.

5. **County Attorney / County Administrator Report**

a) Approval of Minutes

Supervisor Wheeler requested an amendment to the minutes. He stated that the minutes state a question if the County would have to resubmit an RFP to extend the length of the contract for waste removal, but there was no response. The minutes now read:

“The Board discussed extending the length of the contract, making it long term; issues if the Landfill opened; would they have to resubmit an RFP.

Mr. Mike Leford from van der Linde stated they would prefer the contract to be for an extended amount of time and five (5) years would be acceptable. He stated he would be willing to honor his bid for a term of five (5) years with the right of the County to terminate the contract if the landfill opens.

County Administrator/County Attorney Vivian Giles stated that she would like to go back and review the RFP, she did not want to provide misinformation. If it is permitted under the Public Procurement Act and the Board would like to they can draft the extension into the contract.”

On a motion by Supervisor Banks and carried the Board approved the minutes as amended.

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

b) Committees, Commissions and Boards

County Administrator, Vivian Giles advised the Board that there was a copy of the updated Committees, Commissions and Boards list in their packet. This list was taken from the one Mr. Meinhard prepared last year and was just updated.

Supervisor Osl questioned why there were some areas that didn't have anyone listed.

Ms. Vivian Giles advised that this was the same document from last year she just updated the form with the current staff and no names were removed.

6. Finance Director's Report

a) Consent Agenda

1) Approval of Bills for February 2013 and March 2013
Approved bills for March total \$77,697.23. Ratified bills for February warrants total \$313,343.02 with check numbers ranging from 65690-65862. Direct Deposits total \$152,910.06.

2) Monthly Budget Report

On a motion by Supervisor Osl and carried the Board approved the consent agenda

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

b) Appropriation of \$750 Recreation Department

Finance Director, Howard Paras advised the Board that the Recreation Department held a basketball tournament that was paid for by the other localities that participated.

On a motion by Supervisor Osl and carried the Board approved the appropriation of \$750 for the Recreation Department.

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

c) Appropriation of \$10,519.37 Treasurers Office

Finance Director, Howard Paras advised the Board that the appropriation was for insurance recoveries for damage to a Sheriff's Department vehicle.

On a motion by Supervisor Meinhard and carried the Board approved the appropriation of \$10,519.37 for insurance recoveries.

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

7. **Planning Director's Report**

- a) Set public hearing for CUP 11-05 Bodacious Motorsports Event

Planning Director Rachel Falkenstein advised the Board that she is requesting the Board set a public hearing for CUP 11-05 for the Bodacious Motorsports even for the April 9th Board meeting. The Planning Commission will be holding their public hearing on March 19th.

On a motion by Supervisor Meinhard and carried the Board approved to set a public hearing for CUP 11-05 Bodacious Motorsports Even for the April 9th Board meeting.

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

- b) Update on Planning Commission Activities

Ms. Rachel Falkenstein advised the Board that the comprehensive plan was close to being complete. Soon they will be requesting additional public comment and feedback from the Board of Supervisors.

- c) County Project update

Ms. Rachel Falkenstein advised the Board that there was a list of updates on current projects in their packet and if they had any questions to let her know.

8. Public Comments (Part Two)

There were two (2) citizens signed up to speak. Their comments for the Board included: the video of the meetings that have been posted online do not look good for the County, Supervisor Wheeler needs to pay the debt he owes; questioned if Supervisor Osl has a business not listed on his financial disclosure statement; concerns with the buffer restrictions for the Cobbs Creek Reservoir.

9. Board Member Comments

Supervisor Ingle commented that he had been contacted by many citizens with concerns about trash along the roads and he wanted to address their concerns with VDOT. He commented that he was looking forward to the Senior Project Day at the High School. He also commented that he appreciated all the comments and recommended that a “town meeting” be held to discuss issues that time doesn’t allow for at the regular Board meetings.

Supervisor Osl commented that the buffer requirements were something that was listed in the Army Core of Engineers permit and the DEQ permit. This was not a local decision. He also commented the state code requires the Board to file various reports on their personal interest and he has complied with all required reports.

Supervisor Wheeler read a prepared statement in which he indicated that he does not have a tax issue. He does have a lean against him in Prince Edward County for \$21,208. He stated that he had the same CPA for years, in 2003 he sold one of his businesses and it seemed after that the CPA was no longer filing his taxes as they should. In 2011 he requested all his information from that particular CPA and went to a new one. By the spring of 2012 all his taxes were filed and caught up. During the

time while his previous CPA was not filing his taxes the lean in Prince Edward was placed on him, which he was not aware of. Currently he has a tax liability of approximately \$1,400. He stated that he has up to a year to pay this amount and after the amount is paid it could take six months to a year before the lean is removed. Mr. Wheeler stated he is not delinquent and is in perfect standing with the IRS and has documents that he would like to provide to the media to back this. He also commented that he is always available to take calls and has never refused a call from anyone.

Supervisor Banks commented that he wanted to thank everyone who came out from district two (2)

Supervisor Meinhard commented that he wanted to thank everyone who came to the meeting and for their comments. He also commented that he would like to put the issue with Supervisor Wheeler behind them.

- 10. Additional Information**
- a) Treasurer's Report
 - b) DMV Report
 - c) Recycling Report
 - d) Building Inspections Report

- 11. Adjourn - Budget Workshop March 13th at 7:00pm**

David Meinhard, Chairman

Vivian Giles, County Administrator