

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

Present: Lloyd Banks, Jr., District 2, Vice-Chairman
Kevin Ingle, District 3
Parker Wheeler, District 5
Vivian Giles, County Administrator / Attorney
Rachel Falkenstein, Planning Director
Meghan Allen, Deputy Clerk

Absent: William F. Osl, Jr., District 1
David Meinhard, District 4, Chairman

1. Moment of Silence and Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Banks.

2. Closed Session

On a motion by the Mr. Wheeler and carried, the Board entered into closed meeting under VA Code Section 2.2-3711 (A-1) Personnel Matters.

Subject: Assignment of duties and promotions.

The Board returned to regular session on a motion by the Chairman.

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

Mr. Banks – aye
Mr. Ingle – 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.

No action was taken regarding the items discussed.

The Vice-Chairman adjourned to the 7p.m. regular meeting

3. **Approval of Agenda**

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

7. **County Attorney/County Administrator**

h) Resolution to preserve Our Virginia Rural Way of Life

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

4. **Resolution of Appreciation**

a) Resolution recognizing Anita French

On a motion by Supervisor Ingle and carried the Board approved the following Resolution of Appreciation Upon the Retirement of Anita H. French:

**RESOLUTION OF APPRECIATION
UPON THE RETIREMENT OF
ANITA H. FRENCH**

WHEREAS, Anita French has dedicated more than forty (40) years of service to the citizens of Cumberland County, both at the Department of Social Services and at the Office of the Commissioner of the Revenue; and

WHEREAS, Anita French began her employment with the Cumberland County Department of Social Services in 1971 where she served for seventeen (17) years before transitioning to the Office of the Commissioner of the Revenue in 1988; and

WHEREAS, Anita French was elected Commissioner of the Revenue for the term beginning January 1, 1992; and

WHEREAS, while serving the citizens of Cumberland County as Commissioner of the Revenue, Mrs. French earned her Master Commissioner of the Revenue Certification from the University of Virginia, Weldon Cooper Center for Public Service on July 1, 2003; and

WHEREAS, Mrs. French has tirelessly and energetically served the County and its citizens with dedication, professionalism and integrity as Commissioner of the Revenue, assisting countless citizens with State income tax, as well as local tax, matters; and

WHEREAS, Mrs. French brought to Cumberland County, for the benefit and convenience of citizens from Cumberland County and the surrounding area, a Virginia Department of Motor Vehicles DMV Select office; and

WHEREAS, Anita French is a faithful member of New Life Church, contributing to the church's many local activities as well as mission trips, and is known for her loyalty and service to God, family, friends, and community; and

WHEREAS, Mrs. French has earned the deep respect, esteem and love of those with whom she has worked.

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Supervisors, through this resolution, expresses its high regard and profound appreciation for the service that Anita French has performed for the County of Cumberland over the past forty (40) years, and wish her much contentment and continued success during her retirement years.

ADOPTED the 12th day of November, 2013.

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

b) Resolution recognizing John Sullivan

On a motion by Supervisor Wheeler and carried the Board approved the following Resolution of Appreciation Upon the Retirement of John Sullivan:

**RESOLUTION OF APPRECIATION
UPON THE RETIREMENT OF
JOHN SULLIVAN**

WHEREAS, John Sullivan has dedicated over thirty-six (36) years of service to the citizens of Cumberland County as its Animal Control Officer; and

WHEREAS, during his service to the County, John Sullivan has overseen the management and growth of animal control services, the growth of the Animal Control department, and the construction of a new animal holding facility; and

WHEREAS, John Sullivan has faithfully, tirelessly and dutifully served the County and its citizens with dedication, professionalism and integrity as it Animal Control Officer, assisting countless citizens with various, and often sensitive, issues; and

WHEREAS, Mr. Sullivan has earned the respect and esteem of those with whom he has worked throughout the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Supervisors, through this resolution, expresses its high regard and profound appreciation for the service that John Sullivan has performed for the County of Cumberland over the past thirty-six (36) years, and wish Mr. Sullivan continued success during his retirement years.

ADOPTED the 12th day of November, 2013.

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

5. Public Hearing

Ordinance establishing deadline for application to the Board of Equalization

On a motion by Supervisor Wheeler and carried the Board approved the following Ordinance Establishing a deadline for applications to the Board of Equalization for relief from reassessment determinations and a deadline for all applications to be finally disposed of by the Board of Equalization:

BOARD OF SUPERVISORS
OF THE
COUNTY OF CUMBERLAND, VIRGINIA

ORDINANCE

ESTABLISHING A DEADLINE FOR APPLICATIONS TO THE BOARD OF EQUALIZATION FOR RELIEF FROM REASSESSMENT DETERMINATIONS AND A DEADLINE FOR ALL APPLICATIONS TO BE FINALLY DISPOSED OF BY THE BOARD OF EQUALIZATION

November 12, 2013

WHEREAS, as required by Virginia Code § 58.1-3252, Cumberland County has authorized and is completing a general reassessment of real estate; and

WHEREAS, Virginia Code § 58.1-3370 requires the appointment of a Board of Equalization to receive applications from property owners or lessees seeking equalization of their real property assessments; and

WHEREAS, Virginia Code § 58.1-3378 allows for the establishment of deadlines by which such applications shall be submitted by property owners and disposed of by the Board of Equalization.

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED by the Cumberland County Board of Supervisors, as follows:

- a. The foregoing recitals are hereby incorporated by this reference.
- b. Upon consideration of the foregoing, and pursuant to Virginia Code § 58.1-3378, the Board of Supervisors of Cumberland County deems it appropriate to by ordinance and this resolution to establish a deadline for the submission to the board of equalization of applications for relief from reassessment determinations and to establish a deadline by which all applications submitted must be disposed of by the board of equalization.
- c. Accordingly, the Board of Supervisors of Cumberland County, Virginia does hereby adopt the following Ordinance:

AN ORDINANCE

Establishing Friday, March 14, 2014 as the date by which all applications for relief from reassessment determinations must be made by property owners or lessees to the Board of Equalization; and establishing Friday, March 28, 2014 as the date by which all applications must be finally disposed of by the Board of Equalization.

- d. This Resolution and the Ordinance herein contained shall be effective immediately.

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

6. Public Comments

There was one (1) citizen signed up to speak. Their comments for the Board included: A request for a road sign to be replaced, it has been gone for four (4) months.

7. State and Local Department/Agencies

a) VDOT

There was no representative present from VDOT.

b) Dr. Amy Griffin Superintendent of Cumberland County Schools

Dr. Griffin advised the Board that Wednesday they will be hold their second annual Educator for a Day; two community outreach meetings will be held this week to discuss the upcoming budget, one at Randolph Fire Department and the other at Cartersville Rescue; the theater team competed in conference and placed runner up, they will be participating in the State competition. Three of the actors were named James River District Actors of the Year; three Cross Country runners will be participating in the State competition, one was named James River District Runner of the Year for the second year in a row; Elementary School Parent Group held a community yard sale, raising \$1,000; Thirty-two Seniors were recognized at the Senior Night at Friday’s football game; JROTC has participated in two matches and had the top shooters in both, they also presented colors at the Ruritan’s breakfast; and numerous Cumberland Teachers, Students and Administrators will be participating in the upcoming Virginia School Board Association Conference.

c) Cumberland County Circuit Court Clerk, Carol Ownby

Ms. Carol Ownby, Circuit Court Clerk advised the Board that she would be retiring at the end of the year.

d) Piedmont Regional Jail

Two representatives from Piedmont Regional Jail came to answer questions from the Board. They gave the Board handouts and reviewed the information. Superintendent Hunter noted that revenue is down, and that Piedmont Regional Jail is one of the lowest cost Regional Jails in the State. They had an issue with an unexpected medical bill that had to be paid which was one reason for the more expensive bill for this quarter. He also noted that they are trying to work with the Town of Farmville to get the water bill lowered or at a fixed rate.

On a motion by Supervisor Wheeler and carried the Board approved to pay the outstanding invoice to Piedmont Regional Jail in the amount of \$86,901.00.

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

8. County Attorney/County Administrator Report

a) Consent Agenda

1) Approval of Bills for October 2013 and November 2013.

Approved bills for November total \$204,288.10. Ratified bills for October warrants total \$311,722.62 with check numbers ranging from 6701-67320. Direct Deposits total \$73,934.96.

2) Monthly Budget Report

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

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

b) Approval of Minutes

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

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

c) Appropriation \$155,650 Additional Federal Funding

On a motion by Supervisor Wheeler and carried the Board approved appropriation of \$155,650 for Additional Federal Funding

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

d) Appropriation \$171,966.76 Additional Federal Funding

On a motion by Supervisor Ingle and carried the Board approved appropriation of \$171,966.76 for Additional Federal Funding.

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

e) Appropriation \$13.30 Animal Control

On a motion by Supervisor Banks and carried the Board approved appropriation of \$13.30 for Animal Control

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

f) Adoption of Emergency Operations Plan (EOP)

On a motion by Supervisor Ingle and carried the Board approved the adoption of the Emergency Operations Plan.

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

g) Board Committee Appointments:

1) Appointment of Elmer J. Heis to the Board of Zoning Appeals

On a motion by Supervisor Banks and carries the Board approved the recommendation of Elmer J. Heis to the Board of Zoning Appeals.

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

2) Confirm need for recommendations for the Board of Equalization

h) Resolution to preserve Our Virginia Rural Way of Life

Supervisor Wheeler advised the Board that he received the resolution from a group requesting the Board support the law currently in effect not allowing hunting on Sundays.

Supervisor Ingle suggested the Board approve only the last two paragraphs of the Resolution.

On a substitute motion by Supervisor Ingle and carried the Board approved the amended resolution as follows:

~~WHEREAS, Cumberland County has a tradition of hunting that is as old of the County itself;~~

~~WHEREAS, Cumberland County recognizes the North American model of wildlife management as the only successful model worldwide because the wildlife resource is held in common for all the people and not just the landowner;~~

~~WHEREAS, the Cumberland County tradition of hunting provides significant economic and cultural benefit to the County and its people;~~

~~WHEREAS, the Cumberland County tradition of hunting contributes significantly to wildlife management, enhances public safety by reducing motor vehicle collisions, reduces crop damage, and helps control the spread of wildlife diseases to benefit of the natural environment;~~

~~WHEREAS, Cumberland County values its open space for use by all citizens for hiking, horseback riding, wildlife watching, outdoor recreation and simply enjoying the blessings of a benevolent Creator;~~

~~WHEREAS, Cumberland County landowners are exceedingly generous with their support of hunting by allowing hunters to use their private property to pursue their~~

~~sport and manage the wildlife populations; and further recognizes their overwhelming opposition to Sunday hunting;~~

~~WHEREAS, the Cumberland County Board of Supervisors recognizes that civility is an inherent part of the character of rural Virginians and further recognizes that many citizens do not feel comfortable sharing the open spaces while hunters pursue their sport;~~

BE IT RESOLVED, that the Cumberland County Board of Supervisors supports hunting in its many and varied forms as currently authorized by the Code of Virginia and the regulations of the Virginia Department of Game and Inland Fisheries.

BE IT RESOLVED, that the Cumberland County Board of Supervisors does not support hunting in any form on Sunday beyond what is currently authorized and hereby urges members of the Virginia General Assembly and the members of the Board of Directors of the Virginia Department of Game and Inland Fisheries to oppose any additional laws or regulations that would authorize expanded hunting on Sunday.

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

9. Planning Director's Report

a) Approval of Draft Stormwater Management Program Components

Planning Director Rachel Falkenstein reviewed the draft and stated she is requesting the Board's approval of three (3) components listed in the draft.

Ms. Vivian Giles noted that this is just a plan and can be amended; the approval of this draft is needed to meet the deadlines set by the State.

On a motion by Supervisor Ingle and carried the Board approved to adopt the draft Stormwater Management Program Components.

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

b) Update on Planning Commission Activities

Rachel Falkenstein advised the Board that the Planning Commission is working on reviewing the business and possible mixed use districts.

c) County Project update

Rachel Falkenstein Planning Director advised the board that the list of project updates was in the packet and to let her know if they had any questions.

10. Public Comments (Part 2)

There were two (2) citizens signed up to speak. Their comments for the Board included: A question in reference to the Emergency Operating Procedure (EOP), if there were any way to educate the public. And how does the Stormwater Management affect Loggers. Another citizen also commented that the County was not ready for an emergency; they were volunteering on the emergency committees but will not volunteer anymore.

11. Board Member Comments

Supervisor Ingle commented that he wanted to thank everyone who came out and wanted to thank Piedmont Regional Jail representatives for coming as well.

Supervisor Wheeler commented that he wanted to thank the Board and the County for the flowers and thank everyone for the cards and calls of support at the loss of his mother- in-law.

Supervisor Banks commented that he wanted to thank everyone who came out and to please continue to voice concerns and comments.

12. Additional Information

- a) Treasurer's Report
- b) DMV Report
- c) Recycling Report
- d) Building Inspections Report

13. Adjourn - Regular Monthly Meeting Tuesday, December 10, 2013

David Meinhard, Chairman

Vivian Giles, County Administrator