

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 15th day of April 2014, at the Cumberland County Circuit Court Room:

Present: William F. Osl, Jr., District 1
Lloyd Banks, Jr., District 2, Chairman
Kevin Ingle, District 3, Vice-Chairman
David Meinhard, District 4
Parker Wheeler, District 5
Vivian Giles, County Administrator / Attorney
Tracie Wright, Finance Director
Sara Carter, Planning Director

Absent: None

1. Call to Order

Supervisor Banks called the meeting to order.

2. Moment of Silence and Pledge of Allegiance

The Moment of Silence and Pledge of Allegiance was led by Supervisor Banks.

3. Roll Call

County Administrator, Vivian Giles, called the Roll.

4. Approval of Agenda

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

ADD 6c. Resolution of Appreciation for Carol Ownby
MOVE 7b. Adoption of Tax Rates to 7c

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

5. Public Comments

Many citizens spoke out against the proposed tax rate increase. Some of the citizens made suggestions such as adopting a law that will not allow the Board to incur debt without a referendum, and being more creative with the Piedmont Regional jail costs, and recouping such costs. Citizens also thanked staff for their assistance with Bodacious, and agreed that this event went better than any before.

6. State and Local Department/Agencies

a) Dr. Amy Griffin Superintendent of Cumberland County Schools

Dr. Griffin advised the Board that the Elementary School is hosting a Showcase tonight. The 2014 Teachers of the year were selected and are Mrs. Bryant from the Elementary School, Ms. Snead from the Middle School, and Mr. Haigh from the High School. In May, the division teacher of the year will be selected from these three teachers. The School Transportation Department came in second at the regional bus rodeo.

Delegate Tommy wright visited the Elementary School earlier in the month and brought state work books to the students. Nicole Jefferson was selected to be the 2014 Valedictorian, and Chelsea Dean was chosen to be the 2014 Salutatorian. The 2014 graduating class will consist of 22 students graduating with Associate degrees, 31 students with at

least one year of college completed, and 11 students with a CNA or welding trade certificate.

b) VDOT

Although there was no representative from VDOT present, County Administrator Vivian Giles informed the Board that VDOT is requesting a work session with the Board to discuss the Secondary Six Year Plan. It was the consensus of the Board to schedule the work session with VDOT representatives at 6:00 p.m. on May 13, 2014.

c) Resolution in appreciation for Carol Ownby

On a motion by Supervisor Wheeler and carried, the board approved a Resolution in appreciation upon retirement for Carol Ownby:

**RESOLUTION OF APPRECIATION
UPON THE RETIREMENT OF CAROL OWNBY**

WHEREAS, Carol Ownby has dedicated forty (40) years of service to the citizens of Cumberland County; and

WHEREAS, Carol Ownby began her career in the Cumberland County Commonwealth's Attorney's Office in 1973, moving in 1974 to the Office of the Clerk of the Circuit Court; and

WHEREAS, in February of 1995, Ms. Ownby was appointed as the Clerk of the Circuit Court, and was subsequently elected to that position in November of 1995; and

WHEREAS, while serving the citizens of Cumberland County as Clerk of the Circuit Court, Ms. Ownby earned the title of Certified Circuit Court Clerk from the

University of Virginia, Weldon Cooper Center for Public Service; and

WHEREAS, Ms. Ownby has quietly and humbly served Cumberland County and her citizens with dedication, professionalism and integrity as the Circuit Court Clerk, meticulously safeguarding and preserving the County records; and

WHEREAS, Ms. Ownby secured a number of grants for the safe and efficient operation of the Circuit Court Clerk's Office and for the preservation of the County's records; and

WHEREAS, Carol Ownby is a devoted mother and grandmother, sister, and friend, as well as a servant to her beloved Jones Chapel Baptist Church, all of which is well known in the community and all of which has earned her the respect and esteem of all with whom she has worked through the years.

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Supervisors, through this resolution, expresses its high regard and deep appreciation for the service that Carol Ownby has performed for the County of Cumberland over the past forty (40) years and wishes her many years of happiness in her retirement.

ADOPTED the 15th day of April, 2014.

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

7. County Attorney/County Administrator Report

a) Consent Agenda

- 1) Approval of Bills- County Administrator, Vivian Giles informed the Board that there were no bills to approve as they were approved at the April 1, 2014 meeting.
- 2) Monthly Budget Report
- 3) Approval of Minutes (February 19, 2014, February 20, 2014, March 11, 2014, and March 13, 2014)

On a motion by Supervisor Osl and carried, the Board approved the consent agenda as presented absent the inclusion of any bills for approval:

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

b) Adoption of FY 2014-15 Budget

County Administrator, Vivian Giles informed the Board that there was a \$358,470 shortfall in the budget. The Supervisors discussed many options for moving forward with the budget. After much discussion, Mr. Ingle made a motion to adopt the budget as recommended with the following amendments: (i) add \$100,000 in capital funding for the purchase of three cars for the sheriff's department; and (ii) add \$11,820 in capital funding for the Randolph Volunteer Fire Department truck payment. Mr. Wheeler made a motion to amend Mr. Ingle's motion by making the following additional changes to the budget as recommended: (i) eliminate the pay raises for county staff; and (ii) add \$100,000 to the funding of the Cumberland County Public Schools.

The chairman called for the vote on the motion as amended by Mr. Wheeler. The amended motion failed by the following vote:

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

Mr. Wheeler – aye

Mr. Ingle amended his original motion to include an additional \$100,000 in funding for the Cumberland County Public Schools. The chairman called for a vote on Mr. Ingle’s original motion, as amended, which in sum would amend the recommended budget as follows: (i) add \$100,000 in capital funding for the purchase of three cars for the sheriff’s department; and (ii) add \$11,820 in capital funding for the Randolph Volunteer Fire Department truck payment; and (iii) add \$100,000 in funding for the Cumberland County Public Schools. The motion carried on the following vote:

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

A copy of the approved budget for FYE 2015 is in the official Board File.

c) Adoption of 2014 Tax Rates

County Administrator, Vivian Giles, informed the Board that the current tax rate is \$0.68 per hundred dollars of assessed value. Chairman Banks informed the Board that if the tax rate did not change, the approximate budget gap would be \$708,000.00. If the Board approved a tax rate increase of \$0.05 that would generate approximately \$570,000.00, and the Board would need to use about \$325,000.00 in reserve funds.

Supervisor Osl made a motion, which failed, to adopt a tax rate of \$0.75 per \$100:

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

Mr. Wheeler – aye

Supervisor Meinhard made a motion, which failed, to adopt a tax rate of \$0.73 per \$100:

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

Supervisor Meinhard made a motion, which failed, to adopt a tax rate of \$0.72 per \$100:

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

On a motion by Supervisor Ingle and carried, the Board adopted the 2014 tax rate of \$0.74 per hundred dollars of assessed value by the following vote:

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

A copy of the Tax Rate Schedule is in the Official Board File.

d) Adoption of FY 2014-15 through 2018-19 Capital Improvements Plan (CIP)

On a motion by Supervisor Osl and carried, the Board approved the Capital Improvements Plan as advertised by the following vote:

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

A copy of the Capital Improvements Plan is in the Official Board File.

e) Committee and Board Appointments

1) Social Services Board – District 3 – Effective July 1, 2014

County Administrator, Vivian Giles, informed the Board that this position will terminate June 30, 2014. The current Board member holding this position is not eligible for reappointment.

2) Social Services Board – District 5 – Effective July 1, 2014

County Administrator, Vivian Giles, informed the Board that this position will terminate June 30, 2014. The current Board member holding this position is not eligible for reappointment.

3) CPMT (Staff Recommendation – Wanda Hughes)

County Administrator, Vivian Giles, informed the Board that CSA Alice Metts has recommended that Wanda Hughes be appointed to CPMT.

On a motion by Supervisor Wheeler and carried, the Board appointed Wanda Hughes to CPMT:

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

4) Crossroads Community Services Board (Agency Request – David Patteson)

On a motion by Supervisor Osl and carried, the Board appointed David Patteson to the Crossroads Community Services Board by the following vote:

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

f) Renewal for STEPS as homeless prevention services provider

County Administrator, Vivian Giles, reminded the Board that in 2013 when HOPE Community Services was no longer able to provide homeless prevention services for Cumberland citizens, the Board approved STEPS to provide those services. This is now up for renewal and the County has not been contacted by any other entity requesting to provide this service.

On a motion by Supervisor Ingle and carried, the Board approved STEPS Inc. as the homeless prevention services provider for Cumberland County by the following vote:

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

g) County Museum Request

County Administrator, Vivian Giles informed the Board that staff had received a request from Mr. Cliff White of the Cumberland Museum Board to allow that Board to use the Old Clerk's Office as a "satellite" Museum and office space for members until they can locate a larger space. Ms. Giles stated that County staff has instituted a plan, and if the Board so chooses, arrangements can be made for the County property that is located in the Old Clerk's Office can be moved to allow for the Museum Board's use of the structure.

On a motion by Supervisor Meinhard and carried, the Board approved the request of the Cumberland Museum Board to use the Old Clerk's Office for a temporary Museum and office space for a period of two years:

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

h) VACo recommended Resolution to adopt a state budget

On a motion by Supervisor Meinhard and carried, the Board adopted the proposed Resolution urging the General Assembly to approve a budget:

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

BOARD OF SUPERVISORS

OF THE COUNTY OF CUMBERLAND

**RESOLUTION URGING THE GENERAL ASSEMBLY
TO APPROVE A BUDGET**

APRIL 15, 2014

WHEREAS, the Virginia General Assembly did not agree on the approval of a budget by the adjournment *sine die* date of March 8, 2014; and

WHEREAS, funds from the state received by Cumberland County comprise a large portion of revenues necessary for Cumberland County to deliver many of the public services mandated by the Commonwealth; and

WHEREAS, the delivery of mandated public services by Cumberland County depends upon a stable and healthy partnership between state and local governments; and

WHEREAS, Virginia's local governments are subject to strict, statutory deadlines for approving certain components of their respective budgets; and

WHEREAS, local governments under § 15.2-2500 and §15.2-2503 of the Code of Virginia are required to approve their respective budgets and tax rates by July 1 of each year; and

WHEREAS, by May 1 of each year, or at least 30 days after receiving an estimate of state aid, whichever is later, local governments are required under §22.1-93 of the Code of Virginia to adopt an annual school budget; and

WHEREAS, not later than June 1 of each year, all school divisions under §22.1-304 of the Code of Virginia, must notify teachers of reductions in force due to decreased funding; and

WHEREAS, failure to approve a budget in a timely manner would disrupt the ability of Virginia's businesses and public agencies to operate effectively; and

NOW, THEREFORE, BE IT RESOLVED, by the Cumberland County Board of Supervisors that the Virginia General Assembly and the Governor of Virginia are urged to reconcile their differences and agree on a FY 2015-2016 budget; and

BE IT FURTHER RESOLVED, that the Cumberland County Board of Supervisors shall transmit copies of this resolution to the Honorable Terry R. McAuliffe, Governor of Virginia, and to members of the Virginia General Assembly.

ADOPTED the 15th day of April, 2014.

i) Courthouse Closed Circuit Connection System

County Administrator, Vivian Giles, informed the Board that Commonwealth Attorney, Patricia Scales, has been working with the Supreme Court of Virginia on behalf of the Circuit Court Judges in our Circuit, about a closed circuit connection system. This project would be funded entirely by the state. The purpose of the project is to provide closed circuit connections so that advisements and court appointed counsel can be done remotely meaning the Sheriff Department would not be transporting inmates for court appearances. This could potentially be a cost savings for the county.

8. Planning Director's Report

a) Update on Bodatious

Planning and Zoning Administrator, Sara Carter, informed the Board that she attended the most recent Bodatious event held on April 11, 12, and 13, 2014. Ms. Carter stated that it was

a well-run event and that the 4 Wheel Drive Motor Club worked very hard to deal with any issues that came up at the event. There were only two violations of the CUP that were noted, one of which was the dust abatement on Boston Hill Road. The other violation noted was that there were still trailers left on the property. Ms. Carter borrowed a decibel meter from Chesterfield County and monitored noise levels throughout the property and throughout her stay, and the event was in compliance with the noise levels. Ms. Carter will provide the Board with a full review of the event at their next regular meeting on May 13, 2014.

b) County Project update

Sara Carter 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.

c) Stormwater Management Program Resolution

Planning Director, Sara Carter, informed the Board that the resolution proposed would require DEQ to manage the Stormwater program in Cumberland County instead of County Staff. The County is required to give notice to DEQ of our option to opt-out by the end of April 2014.

On a motion by Chairman Banks and carried, the Board adopted a Resolution notifying DEQ that Cumberland County is opting-out of administering a stormwater management plan by the following vote:

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

BOARD OF SUPERVISORS

OF THE
COUNTY OF CUMBERLAND, VIRGINIA
RESOLUTION
OPTING-OUT OF ADMINISTERING A
CUMBERLAND COUNTY
STORMWATER MANAGEMENT PLAN

April 15, 2014

WHEREAS, many localities in Virginia expressed concern to their state government delegation about the costs of implementing stormwater management plans in each locality, and further expressed concern about the impacts of this regulation on individual homeowners; and

WHEREAS, the Senate of Virginia and the House of Delegates in response to these concerns, both passed amendments to the Stormwater Management Plan portions of the State Code allowing local governments to choose whether or not to manage their own Stormwater Management Plans, or leave the administration of these plans to the Department of Environmental Quality by wide margins, and further allowed opportunities for individual homeowners to develop their properties without further regulation; and

WHEREAS, the President of the State Senate and the Speaker of the House of Delegates both signed these bills; and

WHEREAS, the Governor of Commonwealth of Virginia signed Senate Bill 423 on March 24, 2014, and the bill was enacted immediately due to an emergency clause contained within it; and

WHEREAS, the Board of Supervisors of Cumberland County seeks to control the county's costs associated with new regulations, and recognizes that the majority of development within the county will not be subject to the new regulations; and

WHEREAS, after discussion, staff presentation and due deliberation with respect to the overall impacts of implementing a program for stormwater management in the county, the Board of Supervisors desires to affirm its findings and take action with respect this legislation;

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 and the Board finds that at this time, it is in the best interest of Cumberland County to opt-out of administering its own stormwater management plan, and communicate to the Department of Environmental Quality that they will be the Stormwater Management Plan Authority for Cumberland County.

c. The Board recognizes that this is not a one-time decision and can be reevaluated in the future if additional information leads them to make a determination that a locally administered plan would serve the citizens of Cumberland County better in the future.

d. This Resolution shall be effective immediately.

9. Public Comments (Part 2)

Citizens spoke about continuing concerns with Bodacious and the safety of the property owners surrounding the event, and continuing budget concerns.

10. Board Member Comments

Chairman Banks thanked the citizens for coming to the meeting and voicing their opinions in regards to the budget.

Supervisor Osl defended the school system and the progress they have made over the years. He stated that the county receives \$1.1 million annually from the Reservoir project and \$500,000.00 from the landfill that helps with the debt service and does not come from the Real Estate tax revenue.

Supervisor Ingle discussed the budget and the cuts that have already been made, and his reasons for a tax rate increase due to the drop in real estate assessments.

Supervisor Meinhard thanked all of the citizens that attended the meeting, and asked that they remember that what the Board does with the taxes and tax rates is in direct relation to what services the county can provide for the citizens. He also stated that the Board is trying their best to provide services to the citizens and still keep the taxes as low as possible.

Supervisor Wheeler stated that “we need businesses in this county... but no one wants businesses in their backyard”. He also stated that he appreciates all of the residents that came out and supported the Board during the meetings.

11. Additional Information

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

12. Adjourn – Regular meeting on May 13, 2014 at 6:00 p.m. in the Circuit Courtroom, Cumberland Courthouse.

Lloyd Banks, Jr., Chairman

Vivian Giles, County Administrator/County Attorney