

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 9th day of September, 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

The Chairman called the meeting to order.

2. Moment of Silence and Pledge of Allegiance

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

3. Roll Call

County Administrator, Vivian Giles, called the Roll.

4. Approval of Agenda

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

8. State and Local Departments/Agencies

- | | | |
|------------|--|--------|
| Add'l Info | c) Bryan Saxtan, Utilities Department –
Additional Sewer information | Motion |
| Add'l Info | 9. County Attorney/County Administrator's Report
b) VGA Resolution and Protocol Agreement | Motion |
| NEW | 11. Finance Director's Report
b) Set PH for REZ 14-02 – Cumberland
Community Center rezone from A-2 to B-1 | Motion |
| NEW | c) Set PH for CA 14-05 – Amendments to
Manufactured Housing Ordinance | Motion |
| Vote: | Mr. Osl – aye Mr. Banks – aye
Mr. Ingle – aye Mr. Meinhard – aye
Mr. Wheeler – aye | |

5. 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 Va. Code § 2.2-3711.A.1: Personnel

Subject: Health Insurance Matter

Subject: Salary Review

Pursuant to Virginia Code § 2.2-3711.A.5: New Business

Subject: Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' interest in

locating or expanding its facilities in the community.

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

6. Reconvene in Open Session

The Board returned to regular session on a motion by Supervisor Osl.

A motion was made by Mr. Meinhard 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.

No action was taken regarding the items discussed.

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

7. Public Comments

One citizen offered her concern with the length of time the VDoT Project on Deep Run Road is taking. She stated that winter is coming and the project is still incomplete.

David Daniels, representative of Community Market, informed the Board that staff he has encountered has shown him wonderful hospitality since he arrived. Mr. Daniels is proposing to open a community market that will sell bulk frozen foods such as meats and vegetables.

8. Public Hearings

- a) Set public hearing for lease of public buildings located at 1550 Anderson Highway, Cumberland, Virginia 23040:

County Administrator, Vivian Giles, informed the Board that staff had already advertised for the public hearing, and just need the Board to set the public hearing for tonight's meeting.

On a motion by Supervisor Ingle and carried unanimously, the Board set a public hearing for the lease of public buildings located at 1550 Anderson Highway, Cumberland, Virginia 23040:

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

- b) Public Hearing for lease of public buildings located at 1550 Anderson Highway, Cumberland, Virginia 23040:

County Administrator, Vivian Giles, informed the Board that Mr. David Daniels is proposing to utilize the old Department of Social Services building located at 1550 Anderson Highway, for a community market that will sell bulk frozen foods such as meats and vegetables. Ms. Giles provided the Board with a draft lease in the Board packet.

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 Meinhard and carried unanimously, the Board approved a lease of county property located at 1550 Anderson Highway, Cumberland, Virginia 23040 between Cumberland County and Mr. David Daniels for a community market:

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

- c) CA 14-03 – Building Fee Schedule

Sara Carter, Zoning Administrator, informed the Board that there were a few building code changes adopted by the state that took effect as of July 1, 2014. This change will bring county code into compliance with the new state changes. There was no increase in building fees.

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 Osl and carried unanimously, the Board adopted Code Amendment CA 14-03 as follows:

Sec. 14-61. Limited; fees.

(a)

No building permit shall be issued for the construction of any structure on any lot stamped as being solely for nonresidential and noncommercial purposes. For the purposes of this section, "solely for nonresidential and noncommercial purposes" shall mean only those land uses and structures that do not require the utilization of a septic system.

(b)

Permit fees shall be as follows:

Building Fee Schedule	
Effective July 1, 2010	
One- and two-family dwellings all R use groups industrialized buildings manufactured or modular homes each floor including basement and garage	\$150.00 minimum or 0.20 square feet
Electrical, plumbing, mechanical permits	\$40.00 minimum, or 0.01 square feet
Porches and decks	\$50.00 minimum, or 0.06 square feet
Remodels and additions	\$50.00 minimum, or 0.15 square feet
Detached accessory structure (in excess of 150 sq ft) AS VUSBC regulates)	\$30.00 minimum, or 0.06 square feet
Pools: Above ground	\$50.00
In ground	\$75.00
Fire, rescue, county owned	Exempt

Commercial permits	\$100.00 minimum, or 0.12 up to 10,000 square feet 0.08 over 10,000 square feet
Commercial: Electrical, plumbing, mechanical, sprinkler and other permits	\$50.00 minimum, or 0.01 square feet, or \$4.00 per \$1,000.00 of contract value (whichever is greater)
Towers	\$7.00 per \$1,000.00 of contract value
Code investigate fees: Charged to applicants discovered by the building official department to be working without a required permit	\$25.00 or 25% of applicable permit fee, whichever is greater
Commercial	\$50.00 or 25% of applicable permit fee, whichever is greater
Demolition fee (includes all structures regardless of use)	\$25.00
Administrative fees: Extensions, take-over, transfers, reinstatements, modifications	\$25.00
Amendments or add mechanic lien agent	\$10.00
Address fee	\$12.00
Re-inspection fee (if over two inspections for the same Violation)	\$35.00 (payable in advance)

(c)

If a permit is revoked or a refund is requested in writing prior to six months of issue, a processing fee of \$50.00 will be retained, plus any additional cost incurred.

(d)

Add ~~(2.00 percent)~~ Code academy fee levy to the schedule amounts subsection (b) above for division of building regulatory services.

(Code 1990, § 4-9; Ord. of 7-1-1999; Ord. of 7-10-2002; Ord. of 4-21-2004; Ord. No. 10-05, 6-8-2010)

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

d) CA 14-04 – Special Assessment Revalidation

Commissioner of the Revenue, Julie Phillips, informed the Board that every sixth year, an application and fees are

required for property owners who have land in the Land Use Program. This is required by State Law. Historically, the office had been requiring landowners to complete a form annually stating that there had been no change to the land in question. It is the wish of the Commissioner's office to discontinue this practice. In doing so, it will save the office over \$500 annually in office supplies and labor. This will also lessen the burden on the taxpayers with land in the Land Use Program.

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 Osl and carried unanimously, the Board approved CA 14-04 as follows:

Sec. 58-212. Applications for special assessment; fees.

- (a) Applications for taxation of real estate on the basis of use assessment shall be submitted to the commissioner of the revenue on the forms provided by the state department of taxation and supplied by the commissioner of the revenue. The application shall include such additional schedules, photographs and drawings as may be required by the commissioner of the revenue.
- (b) Applications shall be submitted:
 - (1) At least 60 days preceding the tax year for which such taxation is sought; or (2) In any year in which general reassessment is being made, until 30 days have elapsed after the notice of increase in assessment has been mailed to the property owner in accordance with Code of Virginia § 58.1-3330, or 60 days preceding the tax year, whichever is later.
- (c) The application shall be signed by all property owners of the subject property. An owner of an undivided interest in the property may apply on behalf of owners that are minors or that can not be located, upon submitting an affidavit attesting to such facts.
- (d) A separate application shall be filed for each parcel or tract shown on the land book.
- (e) An application fee of \$40.00 shall accompany each application.
- (f) An application shall be submitted whenever the use or acreage of such land previously approved changes; however, no application fee shall be required when a change in acreage occurs solely as a result of a conveyance necessitated by governmental action or condemnation of a portion of any land previously approved.

(g) If any tax on the land affected by an application is delinquent when the application is filed, the application shall not be accepted. Upon payment of all delinquent taxes, interest and penalties relating to such land, the application shall then be treated in accordance with this section.

(h) Such property owner must revalidate ~~annually~~ every sixth year with the commissioner of the revenue any application previously approved. A revalidation fee of \$40.00 shall accompany each application for revalidation ~~every sixth year~~. Late filing of a revalidation form must be made on or before the effective date of the assessment and accompanied with a late filing fee of \$40.00.

(Code 1990, § 8A-2; Ord. of 1-1-2000; Ord. of 1-10-2001; Ord. No. 10-06, 7-13-2010)

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

9. State and Local Department/Agencies

A representative from Senator Warner's office was present at the meeting. He informed the Board and staff that he was here to learn more about Cumberland.

a) Dr. Amy Griffin Superintendent of Cumberland County Schools

School Superintendent, Dr. Amy Griffin, informed the Board about the following:

- The Agriculture Program is doing well. They have two pigs and a horse that have been donated for the year.
- The Virginia Farm Bureau donated \$350 to the FFA (Future Farmers of America) Program so they could begin to order jackets.
- The Cumberland Middle School Football, Volleyball and Golf teams scored wins recently.
- Sheriff Hodges has been working with the 5th graders in the DARE Program.

- The Longwood Partnership orientation has taken place the teachers are in their respective classes.

b) VDOT

There were no representatives present at the meeting.

c) Bryan Saxtan, Utilities Department

Utilities Worker, Bryan Saxtan, informed the Board that since the last meeting, staff has gathered additional information regarding upgrading the sewer manholes. Some of the manholes have become corroded due to escaping gas. The initial application of epoxy that was originally suggested cannot be the 25 mm layer as this if for reapplication purposes. The initial layer requires a 10mm epoxy. The updated cost for rehabilitating a manhole is \$5,555. Another area of concern is manholes that sit in low lying areas. Since the last meeting, staff has fixed five manholes and raised one. Staff plans to raise six more as time permits.

Staff has obtained an estimate for inspection of all manholes for \$9,720.00. By consensus, the Board directed staff to move forward with requesting bids for the inspection of all of the sewer manholes.

10. County Attorney/County Administrator Report

a) Consent Agenda

- 1) Approval of Bills for August and September 2014. Approved bills for September 09, 2014 total \$48,000.35. Ratified bills for August and September warrants total \$204,993.76 with check numbers ranging from 68820 to 69042. Direct Deposits total \$152,057.37.
- 2) Approval of Minutes (August 12, 2014)

County Administrator, Vivian Giles, informed the Board that there was one correction to the bills list. The bill for Irongate Boundary Management should reflect a total due of \$270.00 instead of \$1,046.25.

On a motion by Supervisor Osl and carried unanimously, the Board approved the consent agenda as amended:

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

b) Virginia Growth Alliance Membership (VGA)

County Administrator, Vivian Giles, informed the Board that VGA had offered a free trial membership for six months, which they have now used, and staff recommends paid membership with VGA. Jeff Reed, VGA Executive Director, was present to address Board questions and concerns.

On a motion by Supervisor Meinhard and carried unanimously, the Board approved the VGA Resolution and Protocol Agreement:

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

c) VGA Resolution in support of natural gas pipelines

County Administrator, Vivian Giles, informed the Board that VGA drafted a resolution in support of a natural gas pipeline, and submitted it to County Boards for approval. At a previous Board meeting, the Resolution was brought before

the Board, and they tabled any action until receipt of additional information. Ms. Giles revised some of the strong language in the resolution as requested by the Board.

There was much discussion as to whether the citizens of Cumberland County would have access to the gas pipeline. Mr. Jeff Reed, Executive Director of VGA, informed the Board that by approving this resolution, Cumberland is saying that it wants access to the gas pipeline, and that thought should be included in the planning and design phase of the project.

There was much discussion among the Board and Mr. Reed in relation to the impact on Cumberland County. It is still unknown how many residents/property owners will be impacted, and how much tax revenue this will generate for the county.

Supervisor Meinhard made a motion to approve the Resolution in support of the natural gas pipeline which failed by the vote below:

**Resolution in Support of
Natural Gas Pipeline Projects**

September 9, 2014

WHEREAS, it has come to the attention of the Board of Supervisors of Cumberland County that a natural gas transmission line project is underway in the Commonwealth; and

WHEREAS, the proposed route of the transmission line includes Cumberland County; and

WHEREAS, the lack of the availability of, and access to, natural gas has proven to be a critical hurdle impeding economic development in many localities in Virginia, including Cumberland County; and

WHEREAS, access to natural gas would serve not only the citizens of Cumberland County by providing access to an alternative heating source, but also would prove beneficial in efforts to attract businesses to the County.

THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Supervisors supports the construction the natural gas pipeline through Cumberland County in order that residents and businesses in the County may access natural gas transmission lines.

BE IT FURTHER RESOLVED that the Cumberland County Board of Supervisors pledges to collaborate and cooperate in the construction of the natural gas pipeline through Cumberland County in order to guarantee access to such line for current and future businesses and residents.

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

It was the consensus of the Board to table action on this item until further information is received on this matter.

d) Crossroads CSB FYE15 Performance Contract

On a motion by Supervisor Wheeler and carried, the Board approved the Crossroads FYE15 Performance Contract as presented:

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

(A copy of the contract is in the official Board file)

11. Finance Director's Report

a) Revenue Appropriations

On a motion by Supervisor Osl and carried by the following vote, the Board approved the Revenue appropriations:

- Century Community Learning Center Grant - \$168,933.00
- High Schools That Work and/or Making Middle Grades Work - \$6,000.00

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

b) Approval of FYE16 Budget and CIP Calendars

On a motion by Supervisor Osl and carried unanimously, the Board approved the FYE16 Budget and CIP calendars:

**CUMBERLAND COUNTY
FISCAL YEAR 2015-2016 BUDGET CALENDAR**

December 6, 2014	Finance Manager prepares budget instruction and estimate forms. Instruction and estimate forms are issued to departments and agencies.
January 2015	County Administrator and Treasurer prepare revenue estimates.
January 16, 2015	Deadline for submission of budget requests to the Finance Manager.

- January 23, 2015 Finance Manager presents budget requests to County Administrator.

- February 18-19, 2015 Departments, agencies and school administration present budget requests to the Board of Supervisors. School Board and Board of Supervisors hold a joint public budget meeting.

- March 13, 2015 County Administrator issues recommended budget to the Board of Supervisors.

- March 16-27, 2015 Board of Supervisors budget work sessions. Approval of budget, tax rates, and capital improvement program for publication.

- March 27, 2015
and April 3, 2015 Advertise proposed budget, tax rates, and capital improvement program for public hearing.

- April 7, 2015 Public Hearing on the proposed budget, tax rates, and capital improvement program.

- April 14, 2015 Adoption of fiscal year 2015-2016 budget, tax rates, and capital improvement program.

- June 2015 Appropriation of funds for the adopted fiscal year 2015-2016 budget.

This calendar is subject to change at any time at the direction of the Board of Supervisors.

CUMBERLAND COUNTY, VA.
 CALENDAR FOR DEVELOPMENT OF THE
 FY 2016 – 2020 CAPITAL IMPROVEMENTS PLAN

TENTATIVE SCHEDULE

- September 30, 2014 CIP package to departments

- October 24, 2014 CIP requests returned to Finance Director

November 7, 2014	Requests and recommendations are sent to CIP Committee for review
November 17-28, 2014	CIP Committee meets to review requests and begin ranking projects
December 8-19, 2014	CIP Committee meets with department and agency representatives and completes
January 19, 2015	CIP Committee presents and recommends proposed CIP to Planning Commission for public hearing
February 16, 2014	Planning Commission holds public hearing on Capital Improvements Plan
April 7, 2014	Board holds public hearing on CIP
April 14, 2014	Adoption of CIP

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

12. Planning Director’s Report

- a) County Project update

There was no discussion on the current county projects.

- b) Set PH for REZ 14-02 – Cumberland Community Center rezone from A-2 to B-1:

On a motion by Supervisor Wheeler and carried unanimously, the Board set REZ 14-02 for public hearing at the Board's next regular meeting on October 14, 2014 at 7:00 p.m. . in the Circuit Courtroom, Cumberland Courthouse:

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

- c) Set Public Hearing for CA 14-05 – Amendments to the Manufactured Housing Ordinance:

On a motion by Supervisor Wheeler and carried unanimously, the Board set CA 14-05 for public hearing at the Board's next regular meeting on October 14, 2014 at 7:00 p.m. . in the Circuit Courtroom, Cumberland Courthouse:

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

13. Old Business

None

14. New Business

None

15. Public Comments (Part 2)

There were no citizens signed up to speak.

16. Board Member Comments

Supervisor Ingle stated that he plans to attend the pipeline meeting in Buckingham for more information.

Supervisor Banks stated that he is hopeful that a venture of this magnitude will benefit the citizens of Cumberland.

17. Additional Information

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

18. Adjourn -

On a motion by Supervisor Wheeler and carried, unanimously, the Board adjourned the meeting until the next regular meeting on October 14, 2014 at 7:00 p.m. in the Circuit Courtroom, Cumberland Courthouse.

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

Lloyd Banks, Jr., Chairman

Vivian Giles, County Administrator/County Attorney