

At a meeting of the Cumberland County Board of Supervisors held at 6:00 p.m. on the 10<sup>th</sup> day of February, 2015, 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  
Parker Wheeler, District 5  
Vivian Giles, County Administrator / Attorney  
Tracie Wright, Finance Director  
Sara Carter, Planning Director

Absent: David Meinhard, District 4

**1. Call to Order**

The Chairman called the meeting to order.

**2. Roll Call**

County Administrator, Vivian Giles, called the roll.

**3. Approval of Agenda**

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

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

**4. Adopt Policy for meeting participation**

On a motion by Supervisor Osl and carried, the Board approved a Resolution adopting a policy governing meeting participation as follows:

**A RESOLUTION TO ADOPT A POLICY GOVERNING PARTICIPATION IN MEETINGS BY MEMBERS OF THE BOARD OF SUPERVISORS THROUGH ELECTRONIC COMMUNICATION**

**February 10, 2015**

**WHEREAS**, pursuant to Va. Code § 2.2-3708.1, a member of a public body may participate in meetings through electronic communication means from a remote location that is not open to the public when the public body has adopted a written policy allowing for such participation in accordance with Va. Code § 2.2-3708.1; and

**WHEREAS**, pursuant to Va. Code § 2.2-3708, public bodies may hold meetings through electronic communication means where no quorum is assembled at a single location in certain emergency situations; and

**WHEREAS**, the members of the Cumberland County Board of Supervisors wish to adopt a policy to allow for those emergency or unexpected situations which may arise and prevent members from attending meetings in person.

**NOW, THEREFORE, BE IT RESOLVED** that the Cumberland County Board of Supervisors on this the 10<sup>th</sup> day of February, 2015, does hereby adopt the attached policy, effective immediately, to allow members of the Cumberland County Board of Supervisors to participate in meetings through electronic communication in strict accordance with the provisions and requirements of Va. Code §§ 2.2-3708 and 2.2-3708.1.

**ADOPTED** the 10<sup>th</sup> day of February 2015.

## **CUMBERLAND COUNTY**

### **POLICY FOR PARTICIPATION IN A PUBLIC MEETINGS THROUGH ELECTRONIC COMMUNICATION**

#### **Quorum Physically Assembled**

- A.** A member of the Cumberland County Board of Supervisors (Board member) may participate in a public meeting, both in open session and in closed session, through electronic communication from a remote location, not open to the public, on the following terms and conditions:
- 1.** Emergency or Personal Matter –
    - a.** The Board member requesting to participate in the meeting through electronic communication must:
      - 1.** Notify the Board Chairman, on or before the day of the meeting, that he or she will be unable to attend the meeting due to an emergency or personal matter; and
      - 2.** Specify to the Board Chairman the nature of the emergency or personal matter.
    - b.** The Board of Supervisors must:
      - 1.** Record in its minutes the specific nature of the member's emergency or personal matter; and
      - 2.** Record in its minutes the remote location from which the Board member participated.
    - c.** Participation in a public meeting through electronic communication by a Board member due to an emergency or

personal matter will be limited each calendar year to two meetings or 25 percent of the total meetings held during the calendar year, whichever is fewer.

**2. Temporary or Permanent Disability or Other Medical Condition**

**a.** A Board member must notify the Board Chairman of that he or she will be unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the Board member's physical attendance at the meeting.

**b.** The Board must:

- 1.** Record in its minutes the fact that the Board member is absent due to a disability or a medical condition; and
- 2.** Record in its minutes the remote location from which the member participated.

**B.** Electronic participation by a Board member as provided in Section A above shall be allowed only when all of the following conditions are met:

- 1.** A quorum of the Board is physically assembled at the meeting location;
- 2.** The Board has made arrangements for the voice of the remote member to be heard by all persons at the meeting location; and
- 3.** Following confirmation from the Board Chairman (or the Board Vice-chairman if the Board Chairman is making the request) that he or she has received notification as required in Section A above, a majority of the Board who are present and voting approve the motion to allow the requesting Board member to participate in the meeting through electronic communication from a remote location not open to the public. If the participation of the Board member by electronic communication is not approved because such participation would violate this Policy, such denial shall be recorded in the minutes with specificity. In deciding whether to

approve a Board member's request to participate in a public meeting through electronic communication from a remote location, Board members shall not consider the identity of the member making the request or the matters that will be considered or voted on at the meeting.

- C. When the Board member who wishes to participate in a public meeting through electronic communication is the Board Chairman, then all notifications required under this policy to be provided to the Board Chairman shall be provided by the Board Chairman making the request to the Board Vice-chairman.

#### **Quorum Not Physically Assembled**

- A. The Cumberland County Board of Supervisors (the Board) may meet, in open session and in closed session, by electronic communication means without a quorum physically assembled at one location when the Governor of the Commonwealth of Virginia has declared a state of emergency in accordance with § 44-146.17 of the Code of Virginia (1950, as amended) on the following terms and conditions:
  - 1. The catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location; and
  - 2. The purpose of the meeting is to address the emergency.
- B. If a meeting is held pursuant to paragraph A. above, the Board shall:
  - 1. Give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided the members of the Board;
  - 2. Make arrangements for public access to the meeting;
  - 3. Make available to the public at all locations at which public access will be provided, at the time of the meeting, agenda packets and all materials, unless exempt, that will be distributed to members of the

Board in sufficient time for duplication and forwarding, as best as practicable given the emergency;

4. Record minutes of the meeting;
5. Record in the minutes votes taken by name in roll-call fashion;
6. Record in the minutes of the meeting the nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held;
7. Make a written report of the following to the Virginia Freedom of Information Advisory Council and the Joint Commission on Technology and Science by December 1 of each calendar year:
  - a. The total number of electronic communication meetings held that year;
  - b. The dates and purposes of the meetings;
  - c. A copy of the agenda for each meeting;
  - d. The number of sites for each meeting;
  - e. The types of electronic communication means by which the meetings were held;
  - f. The number of participants, including members of the public, at each meeting location;
  - g. The identity of the members of the Board recorded as absent and those recorded as present at each meeting location;
  - h. A summary of any public comment received about the electronic communication meetings;
  - i. A summary of the Board's experience using electronic communication meeting, including its logistical and technical experience; and
  - j. Make copies of the public comment form prepared by the Virginia Freedom of Information Advisory Council available to the public.

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

5. **Approve Request for Board member to participate in meeting by electronic communication**

On a motion by Supervisor Osl and carried, the Board approved Mr. Meinhard to participate in the meeting via electronic communication:

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

Ms. Giles then established for the record, and confirmed with the Chairman and the audience present at the meeting all of the following:

- 1) Pursuant to VA Code § 2.2-3708.1, Mr. Meinhard would be participating in the meeting through electronic (telephonic) communication, having notified the Chairman that he was unable to attend the meeting due to a temporary disability or medical condition that prevented his physical attendance;
- 2) That Mr. Meinhard was participating in the meeting from 294 Agee Lane in Cumberland County, Virginia;
- 3) That a quorum of the Board was physically assembled at the meeting at the Cumberland County Courthouse;
- 4) The voice of Mr. Meinhard could be heard via speaker phone by all persons at the meeting location, the Cumberland County Courthouse; and
- 5) Mr. Meinhard attended the meeting through electronic communication due to a disability or a medical condition.

6. **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.7: Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

Subject: Discussion regarding the Host Community Agreement between the Board of Supervisors of Cumberland County, Virginia and Cumberland County Development Company, LLC

Pursuant to Virginia Code § 2.2-3711.A.1: Personnel

Subject: Discussion of assignment of duties and job performance and review.

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

Supervisor Meinhard joined the meeting in closed session via electronic communication.

**7. Reconvene in Open Session**

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

A motion was made by Mr. 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.

No action was taken regarding the items discussed.

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

**8. Welcome and Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Banks.

## 9. **Public Comments**

Sheena Mackenzie with Central Virginia Health Services informed the Board that CVHS will be celebrating their 45<sup>th</sup> anniversary this year. CVHS is a community based non-profit organization that provides high quality medical care to anyone of any age. The Central Virginia Health Center in Arvonnia was founded by a Ms. Beulah Wiley, a Cumberland resident, and an employee of the Central Piedmont Action Council in Cumberland. In the 1960's Ms. Wiley realized both through her work, and what she saw in the area, was that Cumberland needed more accessible health care. Health care that did not require traveling long distances to reach a doctor. She also recognized that some of these families struggled with their health care costs, and couldn't afford care, even if they had the means to travel up to 90 minutes to get to health care.

Central Virginia Community Health Center originally served the Counties of Cumberland, Buckingham, and Fluvanna. Today, they serve 18 localities through 15 sites across Central Virginia. Since its creation, the Central Virginia Health Center has grown, and added other services to its original medical care such as pharmacy, dental, behavioral health, x-ray, mammography, and an educational fitness center. About 1200 residents of Cumberland County are patients at the Health Center, and they have the capacity to see many more.

The Services at the Health Center are not free. Those who fall below 200% of the Federal Poverty level may apply for sliding scale fees. Most Insurance plans are accepted as well. Ms. Mackenzie asked that the Board forward this information their constituents.

Ms. Rose McClinton and Pat Hilliard spoke to the Board members requesting a new Fire House for the Cartersville Fire

Department. The Department has the donation of land, but is in need of funds to erect the building.

Barbara Hinton questioned the validity of a few budget requests and stated that the citizens have the right to know when the taxes are going up and there is no additional money coming in.

Lou Seigel questioned the need for a new Fire House in Cartersville. He also stated that Colonial Pipeline had their own Fire equipment such as trucks and tankers.

## 10. **Public Hearings**

### a) CUP Tyson 14-07

Planning Director, Sara Carter, informed the Board that Mary Tyson applied for a conditional use permit for 33.36 acres of land to operate a Recreational vehicle park and general store on her property. She was awarded a Special Temporary Use Permit with up to 12 campsites in 2010. The Planning Commission recommends approval of the CUP to allow the Recreational Vehicle Park and general store. The Following conditions have been recommended by the Planning Commission. Since the Planning Commission public hearing, staff has received additional information from the Health Department and updated the transportation condition following the Planning Commission and VDoT guidance. Modified conditions are shown underlined.

1. Number and type of recreational vehicles permitted: There shall be no more than fifty (50) recreational vehicles on the property. The addition of any new sites, over the current 12 which have already been developed, or the construction of the general store, will require screening and buffering to any adjacent residential properties. Screening may be provided through a privacy fence or through the

use of evergreen trees, as determined by the Zoning Administrator.

2. Septic, well and electrical connections: The applicant shall comply with all federal, state and local regulations pertaining to the use of private water, sewer and electricity. The applicant shall provide a written letter from the Cumberland County Health Department indicating the maximum number of permanent camping sites for temporary recreational vehicles permitted on the property. A commercial water and sanitary sewer plan, certified by a professional engineer, is required for the entire site prior to the construction of any additional sites or usage of the existing sites. These plans must be approved by the Cumberland County Health Department prior to usage of the campsites. A building permit shall be required from Cumberland County, which (among other things) will approve the proposed electrical connections to the recreational vehicles.
3. Scaled plan required: The applicant shall provide a scaled plan noting the locations and spacing of the recreational vehicles on the property and distances from all property lines and the centerline of Route 690. In no event, shall any recreational vehicles be closer than 75 feet from the centerline of Rt. 690, 25 feet from side property lines and 35 feet from rear property lines. The scaled plan shall also clearly show the location of all on-site utilities (water, sewer and electrical). Recreational vehicles shall be separated by a minimum of 10 feet from each other. Adequate provisions shall be made to prevent mud from being tracked onto Rt. 690 from the site. Such provisions shall at a minimum include gravel at the site entrance and if necessary at vehicle parking locations.

4. Community safety: If county or state law enforcement is required to respond to restore order to those on the property more than two (2) times in a thirty (30) day period the conditional use permit shall be reviewed by the Board of Supervisors, and may be revoked at the Board's discretion.
5. Refuse disposal: A dumpster shall be provided for trash disposal and emptied when full but in no event shall the dumpster be emptied less than once a month.
6. Noise control: Noise shall be restricted between the hours of 11:00 p.m. and 5:30 a.m. daily. The noise and sounds levels controls shall be at 0 decibels at all property lines and at conversation levels on the property so as not to disturb other temporarily housed individuals or adjacent properties.
7. The current driveway has been approved by VDOT (Virginia Department of Transportation) for up to 30 RV units. Any additional RV units over the 30 approved by VDOT, or the addition of the general store, will require a VDOT Traffic Impact Statement be submitted by the applicant to determine if the existing commercial entrance is adequate for the additional site generated vehicle trips.

The Chairman opened the public hearing. One citizen asked about buffering, water and sewer requirements and if the acreage was adequate for the plans for the property. Ms. Carter stated that the buffering and water and sewer requirements were addressed in the conditions, and the lot size must meet all requirements. With no other citizens signed up to speak, the Chairman then closed the public hearing.

On a motion by Supervisor Osl and carried unanimously, the Board approved CUP 14-07 with the conditions provided by the Planning Commission and staff:

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

b) CA 14-08 Development Standards waiver

Planning Director, Sara Carter informed the Board that the purpose of this code amendment is to provide a means to waive particular standards based in particular property concerns. Currently, the Ordinance has no provision for this, and there is limited recourse available to property owners.

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 Wheeler and carried unanimously, the Board approved CA 14-08 as follows:

Sec. 74-14 Waivers.

- (a) Except for requirements which must be modified through rezoning, conditional use, or the granting of a variance, the Planning Commission may, upon the submission of an application by the landowner, grant modifications, with or without conditions, to requirements specified in this chapter. The Planning Commission shall fix a reasonable time for the hearing of an application under this section and decide the same within 60 days after its first hearing on the matter, unless the applicant requests or consents to action beyond such time or unless the applicant withdraws the request.

- (b) No modification to a development standard or requirement shall be authorized by the planning commission unless it considers and determines substantial compliance with all of the following factors:
- (1) By reason of the exceptional narrowness, shallowness, size or shape of the specific piece of property or nearby properties or by reason of exceptional topographic conditions or other exceptional situation or condition relating to such properties, the strict application of the terms of this chapter would effectively prohibit or unreasonably restrict the use of the property.
  - (2) The granting of the modification will alleviate a clearly demonstrable hardship as distinguished from a special privilege or convenience, and the hardship is not shared generally by other properties in the same zoning district and the same vicinity.
  - (3) The modification will not be injurious to the use and enjoyment of adjacent property owners; will not diminish or impair property values within the neighborhood; will not change the character of the district; and will not be detrimental to or endanger the public health, safety or general welfare.
  - (4) The condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to this chapter.
  - (5) The granting of such modification will allow the project to comply with the comprehensive plan.
  - (6) The granting of the modification will not constitute the granting of a variance, special exception, conditional use or a rezoning.

- (7) Ordinary financial considerations are not the principal reason for the requested modification.
- (8) The requested modification does not amend a property-specific condition imposed by the board of supervisors or the board of zoning appeals, unless such condition specifically grants such modification authority to the planning commission.
- (9) The applicant did not create the condition or situation generating the need for the modification and the applicant has exhausted all other practicable solutions to the problem, including, but not limited to, the acquisition of additional property, the elimination or redesign of structures, or the reduction of development density.
- (10) The modification shall constitute the minimum necessary modification to the appropriate development standard or requirement to resolve the hardship. The planning commission shall not grant a permanent modification to a standard or requirement if a temporary modification will suffice.

(c) If the applicant disagrees with the planning commission's final decision, he may file a written appeal with the circuit court within 60 days of that decision. In addition, adjacent property owners may appeal the planning commission's final decision by filing a written appeal with the circuit court within 60 days of that decision. Notwithstanding the foregoing, adjacent property owner appeals shall be limited to conditions which directly affect those property owners and include one or more of the following: access, utility locations, buffers, conditions of zoning, architectural treatment or land use transitions. The court shall fix a reasonable time for hearing the appeal. During the appeal, the director of planning shall not approve any applicable site plan, building permit or plat for any

construction that would or could be affected by the appeal.

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

**11. 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:

- Some High School students submitted a proposal to the Central Office for landscaping at both schools
- Team WIN is in the process of making over the 2<sup>nd</sup> and 4<sup>th</sup> grade pods at the elementary school
- The Little Duke Leaders collected enough money to purchase multiple buddy benches at the elementary school
- The Forensics' team placed third in the District
- The Varsity Girls' Basketball Team will participate in the Semi Finals against Bluestone
- February 19, 2015 will be scholarship night for juniors, seniors and their parents
- Central Virginia Quick Start Tennis is applying for grants for tennis courts at the elementary school

b) VDOT

Scot Shippee, Assistant Residency Administrator for VDOT, provided the Board with a status report:

- Brush cutting and pothole patching,
- Gravel road prep for winter weather
- Answering customer service calls

Mr. Shippee informed the Board that a joint workshop is necessary for the secondary six year plan. The workshop can be scheduled in March so the public hearing can be scheduled for May or June.

The Rt. 620 bridge, Stoney Point Mill Road, will be closed from February 23, 2015 to August 20, 2015 for replacement of the bridge. Detour information will be provided when it becomes available.

c) Extension Office – Mentoring Program

Linda Eanes and Yvonne Earvin informed the Board that the Extension Office will be providing a mentoring program to children in the county and provided handouts with information on the program.

d) Greg Marston – Resolution in support of Industrial Hemp

On a motion by Supervisor Wheeler and carried unanimously, the Board adopted a Resolution supporting industrial hemp farming:

**CUMBERLAND COUNTY BOARD OF SUPERVISORS**

**RESOLUTION SUPPORTING INDUSTRIAL**

**HEMP FARMING**

**February 10, 2015**

**WHEREAS**, Industrial Hemp refers to the non-drug oilseed and fiber varieties of Cannabis which are cultivated exclusively for fiber, stalk and seed. Industrial Hemp is genetically distinct from the drug varieties of Cannabis, also known as marijuana. Industrial Hemp has less than three tenths of one percent of the psychoactive ingredient, tetrahydrocannabinol (THC). The flowering tops of industrial hemp cannot produce any drug effect when smoked or ingested; and

**WHEREAS**, the reluctance of the United States Drug Enforcement Administration (DEA) to permit Industrial Hemp farming is denying agricultural producers in this country the ability to benefit from a high-value, low-input crop, which can provide significant economic benefits to producers and manufacturers; and

**WHEREAS**, the DEA has the authority under the Controlled Substance Act to allow the Commonwealth of Virginia to regulate Industrial Hemp farming under State law and without requiring individual Federal applications and licenses.

**NOW, THEREFORE, BE IT RESOLVED**, that the CUMBERLAND COUNTY BOARD OF SUPERVISORS urge the Virginia General Assembly and the McAuliffe Administration to recognize Industrial Hemp as a valuable agricultural commodity and to take steps to remove barriers in order to encourage the commercial production of this crop; and

**BE IT FURTHER RESOLVED** that we urge the Virginia General Assembly to pass legislation to regulate Industrial

Hemp farming under the Code of Virginia without requiring Federal applications, licenses, or fees.

**ADOPTED** this 10<sup>th</sup> day of February 2015.

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

**12. County Attorney/County Administrator Report**

- a) Consent Agenda
  - 1) Approval of Bills for January 2015 and February 2015. Approved bills for February 10, 2015 total \$352,573.84. Ratified bills for January 14, 2015 to February 9, 2015 warrants total \$519,138.52 with check numbers ranging from 69790 to 70036. Direct Deposits total \$156,198.08.
  - 2) Approval of Minutes (January 13, 2014)

On a motion by Supervisor Osl 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) STEPS request

It was the consensus of the Board to table any action until the next regular meeting of the Board to be held on March 10, 2015.

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

c) IDA Appointment – Lou Seigel

On a motion by Supervisor Banks and carried unanimously, the Board appointed Lou Seigel to the Industrial Development Authority:

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

d) Resolution in support of tower acquisition

County Administrator, Vivian Giles, informed the Board that Mid-Atlantic Broadband has offered to donate to the County a 199 foot telecommunications tower. Ms. Giles also stated that each year the County receives grant funds that can be used to erect the tower. It was suggested that this tower could be used to enhance telecommunications in the southern end of the county.

On a motion by Supervisor Wheeler and carried, the Board adopted a Resolution accepting donation of a 199 foot tower from Mid-Atlantic Broadband by the following vote:

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

**Resolution in Support of  
Accepting Donation of Tower from  
Mid-Atlantic Broadband**

**WHEREAS**, Mid-Atlantic Broadband has available several 199 foot self-supporting Rev G communication towers that it is willing to donate to localities to enhance public safety and/or E911 capabilities; and

**WHEREAS**, upon learning of this opportunity, Cumberland County staff expressed to Mid-Atlantic Broadband its interest in acquiring one of the towers; and

**WHEREAS**, communication issues have been reported by first responders in certain areas of Cumberland County, and it is believed that a taller tower could help to resolve some, if not most, of those issues; and

**WHEREAS**, after consideration, Mid-Atlantic Broadband has selected Cumberland County to receive one of the towers.

**NOW, THEREFORE, BE IT RESOLVED** that the Cumberland County Board of Supervisors desires to, and does hereby accept a 199 foot self-supporting Rev G tower from Mid-Atlantic Broadband to be used to enhance public safety and/or E911 capabilities.

**BE IT FURTHER RESOLVED** that the Cumberland County Board of Supervisors expresses its gratitude to Mid-Atlantic Broadband for this generous donation to Cumberland County.

Adopted the 10<sup>th</sup> day of February, 2015.

**13. Finance Director's Report**

a) Monthly budget Report

There was no discussion regarding the monthly budget report.

b) CCPS Supplemental Appropriation Request for \$115,241

On a motion by Supervisor Wheeler and carried unanimously, the Board approved an appropriation to the School in the amount of \$115,241:

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

**14. Planning Director's Report**

a) Planning Project update

There was no discussion on the current Planning projects.

b) Midland Trail update

Planning Director, Sara Carter, informed the Board that Buckingham County has recently expressed concern about off-site signage related to the byway designation, and has decided to request that the section of Rt. 60 that passes through Buckingham not be included within the byway

designation. It is uncertain what impact Buckingham's request will have on Cumberland's interest in obtain the byway designation. Now it may be eliminated from consideration as well.

The County can 1) take no action and await the decision of the Commonwealth Transportation Board (CTB), 2) Make a request to VDoT and DCR regarding the designation, or 3) Choose its own set of byways and request study of these for inclusion by the CTB.

On a motion by Supervisor Wheeler and carried by the following vote, the Board directed staff to further explore scenic byway designation for additional roads in Cumberland County:

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

c) Set public hearing for CUP 15-01 Mast

On a motion by Supervisor Osl and carried unanimously, the Board set CUP 15-01 Mast for public hearing on March 10, 2015:

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

d) Set public hearing for CUP 15-02 Braxton

On a motion by Supervisor Osl and carried unanimously, the Board set CUP 15-02 Braxton for public hearing on March 10, 2015:

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

e) Set public hearing for CUP 14-05 Cobbs Creek Tower

On a motion by Supervisor Osl and carried  
unanimously, the Board set CUP 14-05 Cobbs Creek Tower  
for public hearing on March 10, 2015:

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

f) Set public hearing for CA 15-01 – Rental cabins as a CUP in  
the A-2 District

On a motion by Supervisor Osl and carried  
unanimously, the Board set CA 15-01 Rental Cabins for public  
hearing on March 10, 2015:

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

g) Set public hearing for CA 15-02 – Building Inspection Fee  
Revision

On a motion by Supervisor Osl and carried  
unanimously, the Board set CA 15-02 Building Inspection Fee  
Revision for public hearing on March 10, 2015:

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

- h) Set public hearing for CA 15-03 – Utilities Ordinance Amendment

On a motion by Supervisor Osl and carried unanimously, the Board set CA 15-03 Utilities Ordinance Amendment for public hearing on March 10, 2015:

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

**15. Old Business**

- a) Cumberland Volunteer Rescue Squad funding request

On a motion by Supervisor Ingle and carried unanimously, the Board directed staff to release the FYE16 budget allocation in the amount of \$25,875 in the current fiscal year, depleting the budget request for FYE16 to have a paid crew for Cumberland Rescue during the daytime hours:

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

**16. New Business**

N/A

**17. Public Comments (Part 2)**

One citizen voiced additional concerns with having a paid squad at Cumberland Volunteer Rescue Squad.

**18. Board Member Comments**

Supervisor Osl stated that at this meeting, there was no additional spending approved. He also discussed the possibility of tax relief for totally disabled first responders.

Supervisor Banks stated that an increase in the tax rate is an increase in taxes and he further stated that Board actions taken this evening will cause future expenditures.

**19. Additional Information**

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

**20. Adjourn -**

On a motion by Supervisor Banks and carried, unanimously, the Board adjourned the meeting until the budget workshops scheduled for February 18<sup>th</sup>, 2015 at 5:00 p.m. in the Administration Conference Room, in the basement of the Administration Building.

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

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Lloyd Banks, Jr., Chairman

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Vivian Giles, County Administrator/County Attorney