

At a meeting of the Cumberland County Board of Supervisors held at 6:00 p.m. on the 14<sup>th</sup> day of April, 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  
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**

Vice-Chairman Ingle called the meeting to order.

**2. Welcome and Pledge of Allegiance**

The Pledge of Allegiance was led by Vice-Chairman Ingle.

**3. Roll Call**

County Administrator, Vivian Giles, called the roll.  
Supervisor Banks arrived at 6:05 p.m.

**4. Approval of Agenda**

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

Vote: Mr. Osl – aye                      Mr. Banks – absent  
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 Virginia Code § 2.2-3711.A.7: Consultation with Legal Counsel  
Subject: Host Agreement

Pursuant to Virginia Code § 2.2-3711.A.1: Personnel  
Subject: Assignment of duties in Administration/Finance

Vote: Mr. Osl – aye                      Mr. Banks – absent  
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. 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.

## **7. Public Comments**

One citizen requested support for the Cartersville Volunteer Rescue Squad for EMT Training. Four citizens requested the Board fully fund the school budget by approving the additional \$100,000 in the budget request. One citizen spoke about the Land

Use Program. Ms. Lauren Andrews with Delegate Robert Hurt's office introduced herself to the Board. Mr. Greg Marston thanked the Board for their support of Industrial Hemp.

**8. State and Local Department/Agencies**

a) Dr. Amy Griffin Superintendent of Cumberland County Schools

- The 2015 Valedictorian is Wyatt Salinas and the 2015 Salutatorian is Ross Fillman
- 25 High School graduates will receive Associate Degrees upon graduation; 9 High School Students recently received their CNA certificates; and 5 High School Students received their welding certificates.
- Friday, April 3, 2015 the High School had a Civil War Living History Exhibit and CCES students visited Longwood to watch a tennis match.
- Pre-K students went on a trip to the Chef's Academy to learn how to cook; and fourth grade students visited Jamestown.
- The Forensics Team came in fourth place at the State Competition

b) VDOT

There were no representatives present.

c) Cumberland Public Library

Cumberland Librarian, Jennifer Beach, informed the Board that the Library has new language learning software that is free to Library patrons. The Summer reading program is gearing up, and the Library staff will be participating in Patriot Day on April 18, 2015.

**9. Public Hearings**

N/A

**10. County Attorney/County Administrator Report**

a) Consent Agenda

- 1) Approval of Bills for March 2015 and April 2015.  
Approved bills for April 14, 2015 total \$223,170.05.  
Ratified bills for March 11, 2015 through April 13, 2015 warrants total \$336,910.35 with check numbers ranging from 70155 to 70418. Direct Deposits total \$153,953.82.
- 2) Approval of Minutes (March 10, 2015 and March 26, 2015)

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) Adoption of 2015 Tax Rates

Supervisor Meinhard made a motion, which failed, to adopt tax rates equivalent to 2014 tax rates, which for real estate is \$0.74 per \$100 of assessed value:

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

Supervisor Banks made a motion, which failed, to adopt tax rates equivalent to 2014 rates except reduce the real estate tax rate to \$0.73 per \$100 of assessed value:

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

Supervisor Osl made a motion, which failed, to adopt tax rates equivalent to 2014 rates except increase the real estate tax rate to \$0.76 per \$100 of assessed value:

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

Supervisor Banks made a motion, which failed, to adopt tax rates equivalent to 2014 rates except decrease the real estate tax rate to \$0.72 per \$100 of assessed value:

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

Supervisor Wheeler made a motion, which failed, to adopt tax rates equivalent to 2014 rates except increase the real estate tax rate to \$0.77 per \$100 of assessed value:

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

On a motion by Supervisor Osl and carried by the following vote, the Board of Supervisors adopted the 2015 tax rates equivalent to 2014 tax rates (which includes a real estate tax rate of \$0.74 per \$100 of assessed value) as follows:

<u>Levy</u>	<u>2014 Actual Levy</u>	<u>2015 Proposed Levy</u>
Real Estate & Manufactured Homes	\$ .74	\$ .74
Personal Property	\$ 4.50	\$ 4.50
Personal Property – Emergency Services	\$ 4.50	\$ 4.50
Personal Property – Disabled Veterans	\$ .01	\$ .01
Airplanes	\$ .50	\$ .50
Machinery & Tools	\$ 3.75	\$ 3.75
Heavy Construction Machinery	\$ 3.75	\$ 3.75
Public Service Corporations	\$ .74	\$ .74

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

c) Adoption of FY 15-16 Budget

On a motion by Supervisor Ingle and carried by the following vote, the Board adopted the FY 15-106 budget as recommended by the County Administrator, in the amount of \$28,400,847:

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

\*\*\* A complete copy of the budget is available in the official Board file \*\*\*

d) Adoption of FY 15-16 – 19-20 Capital Improvements Plan

On a motion by Supervisor Osl, and carried unanimously, the Board approved the FY 2015-16 through 2019-20 Capital Improvements Plan:

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

e) Piedmont Regional Jail Resolution supporting waiver of value engineering

On a motion by Supervisor Wheeler and carried unanimously, the Board approved a Resolution supporting a waiver of value engineering for Piedmont Regional Jail:

**RESOLUTION REQUESTING WAIVER OF VALUE ENGINEERING STUDY FOR PROPOSED INTAKE/BOOKING AREA AT PIEDMONT REGIONAL JAIL**

**April 14, 2015**

**WHEREAS**, the Piedmont Regional Jail Board is in the process of having Moseley Architects, Inc. prepare a Planning Study for submittal to the Virginia Department of Corrections for the construction of an Intake/Booking are; and

**WHEREAS**, the Board is requesting 50% reimbursement of the eligible cost of the project; and

**WHEREAS**, this will be a relatively minor renovation which will be at a cost which does not lend itself to value engineering, and cost of the Value Management Assessment

would in all likelihood be more than the benefits of the study; and

**WHEREAS**, because the cost of the value engineering study is considered an eligible cost, the cost would be shared equally by the Commonwealth and the Board;

**NOW, THEREFORE, BE IT RESOLVED** by the Piedmont Regional Jail Board, that the County of Cumberland, Virginia requests the Board of Corrections to grand a modification for the Board's requirement that a value engineering study be conducted.

Adopted the 14<sup>th</sup> day of April, 2015.

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

f) Tax incentive Plan Amendment

County Administrator, Vivian Giles, informed the Board that the proposed amendment to the previously-adopted Tax Incentive Plan includes a new investment tier affording an opportunity for a business to receive a tax rebate up to 100% for the first 5 tax years if the company makes a capital investment of at least \$2.5 million and provides at least 25 jobs.

On a motion by Supervisor Ingle and carried by the following vote, the Board adopted the amended Tax Incentive Plan:

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

- g) Award bid for CCES Roof

It was the consensus of the Board to table any action on this project until the May 12, 2015 Board meeting.

- h) Piedmont Regional Jail Resolution supporting the purchase of real property

On a motion by Supervisor Meinhard and carried unanimously, the board adopted a Resolution supporting the purchase of real property by Piedmont Regional Jail:

**RESOLUTION SUPPORTING THE PURCHASE OF REAL PROPERTY BY THE PIEDMONT REGIONAL JAIL BOARD**

**April 15, 2015**

**WHEREAS**, the Piedmont Regional Jail Board has the opportunity to purchase certain real property located in the Farmville Magisterial District of Prince Edward County, Virginia and containing 33 acres, which said real property lies contiguous to the real property on which the Piedmont Regional Jail is situate; and

**WHEREAS**, the Piedmont Regional Jail Board has determined that it would be in the best interest of Piedmont Regional Jail to purchase the said real property for future expansion and/or relocation; and

**WHEREAS**, it has been determined and agreed that the said real property can be acquired for the fair market value, as determined by an independent appraisal commissioned by the Piedmont Regional Jail Board; and

**WHEREAS**, there is on deposit with the Piedmont Juvenile Detention Center funds sufficient to pay for the purchase of the said real property and related closing costs; and

**WHEREAS**, The Board of the Piedmont Juvenile Detention Center is in agreement with the use of its funds on deposit to pay for the purchase of the said real property by Piedmont Regional Jail.

**NOW, THEREFORE, BE IT RESOLVED** by the Cumberland County Board of Supervisors that the County of Cumberland, Virginia is in support of the purchase by the Piedmont Regional Jail Board, at fair market value as determined by an independent appraisal commissioned by the Piedmont Regional Jail Board, of that certain real property containing 33 acres situate in the Farmville Magisterial District of Prince Edward County, Virginia and adjoining the real property currently owned and occupied by the Piedmont Regional Jail.

**BE IT FURTHER RESOLVED** by the Cumberland County Board of Supervisors that the County of Cumberland, Virginia requests the Piedmont Juvenile Detention Board to transfer and/or pay over, as necessary, to any party, as instructed, the funds necessary to effect the purchase of the above-described real property by the Piedmont Regional Jail Board.

Adopted the 14<sup>th</sup> day of April, 2015

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

**11. Finance Director's Report**

- a) Monthly budget Report

There was no discussion regarding the monthly budget report.

**12. Planning Director's Report**

- a) Planning Project update

There was no discussion on the current Planning projects.

- b) Set public hearing for Code Amendment 15-04 Sign Ordinance

On a motion by Supervisor Osl and carried unanimously, the Board set Code Amendment 15-04 Sign Ordinance for a public hearing to be held on Tuesday, May 12, 2015:

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

- c) Set public hearing for Code Amendment 15-05 number of dwelling units allowed on a single parcel

On a motion by Supervisor Osl and carried unanimously, the Board set Code Amendment 15-05 number of dwelling units allowed on a single parcel, for a public hearing to be held on Tuesday, May 12, 2015:

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

- d) Set public hearing for Code Amendment 15-06 Update of Zoning Fees

On a motion by Supervisor Osl and carried unanimously, the Board set Code Amendment 15-06 Update of Zoning Fees, for a public hearing to be held on Tuesday, May 12, 2015:

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

- e) Set public hearing for Code Amendment 15-07 Modification of definitions for Rental Cabins and RV Park

On a motion by Supervisor Osl and carried unanimously, the Board set Code Amendment 15-07 Modification of definitions for Rental Cabins and RV Park, for a public hearing to be held on Tuesday, May 12, 2015:

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

**13. Old Business**

N/A

**14. New Business**

N/A

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

Two citizens voiced concerns with the budget and funding for the Schools. Mr. Greg Marston suggested the School look into using industrial hemp to replace the Elementary School roof.

**16. Board Member Comments**

Supervisor Ingle discussed the requested letter of guaranty for the Cartersville Rescue Squad for the purchase of an ambulance.

On a motion by Supervisor Ingle and carried by the following vote, the Board directed staff to draft a letter of guaranty for the Cartersville Volunteer Fire Department for the purchase of an ambulance; the County will guarantee the availability of funds in the amount of \$80,000:

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

Supervisor Meinhard thanked the citizens in attendance, and stated that the Board did the right thing by not increasing the tax rate at this time.

**17. Additional Information**

- a) Treasurer’s Report
- b) DMV Report
- c) Recycling Report
- d) Monthly Building Inspections Report
- e) Approved Planning Commission meeting minutes
- f) Approved IDA meeting minutes

**18. Adjourn -**

On a motion by Supervisor Wheeler and carried unanimously, the Board adjourned the meeting until the next regular meeting of the Board to be held on May 12, 2015 at 7:00 p.m. in the Circuit Courtroom of the Cumberland Courthouse, Cumberland, Virginia.

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