

At a meeting of the Cumberland County Board of Supervisors held at 7:00 p.m. on the 11th day of August, 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
Sara Carter, Planning Director
Tracie Wright, Finance Director

1. Call to Order

Chairman Banks called the meeting to order.

2. Welcome and Pledge of Allegiance

The Pledge of Allegiance was led by the Chairman.

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:

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

5. Public Comments

There were no citizens signed up to speak.

6. State and Local Department/Agencies

- a) Dr. Amy Griffin Superintendent of Cumberland County Schools

Dr. Amy Griffin, Superintendent of Cumberland County Public Schools, gave the Board the following update on school activities:

- The first day of school was on August 10, 2015
- Administrators are in the process of developing the strategic plan for the School Division
- September 16, 2015 at 7:00 p.m. the schools will hold a forum at the Middle and High School Complex on establishing what the current and future trends in the workforce
- This year there are 10 new teachers, 9 of which have experience
- The Cumberland Ruritans hosted the Annual Convocation Luncheon for the School Division on Tuesday, August 4, 2015.
- The Elementary School Roof has been completed

- b) VDOT

There were no representatives from VDoT present. Ms. Vivian Giles informed the Board that she met with Mr. Scot Shippee, and Mr. Kevin Wright on Monday, August 10, 2015. Ms. Giles informed the Board that House Bill two has passed and provides for

certain funding of transportation projects per district. VDoT representatives are suggesting that the County apply for funding for three projects utilizing these funds.

There is about \$25M of funding for our region. The three projects that they recommend we apply for are 1) alterations to the roadway for a possible turning lane on Rt. 13, Old Buckingham Road at the intersection of Rt. 60, Anderson Highway; 2) The widening of Rt. 60, Anderson Highway through the Courthouse area from Rt. 600, Stoney Point Road, heading east to Rt. 622, Trents Mill Road; and 3) a safety project to be determined after further review of safety records from the County.

c) Cumberland Public Library

Jennifer Beach, Librarian, was not present.

d) Mr. Shannon G. Lewis, Department of Forestry

Cumberland Forester, Mr. Shannon Lewis, presented the Board with the FYE15 annual report, and presented the Board with a check in the amount of \$60,798.09.

e) Preston Willson, Holiday Lake, 4-H Education Center

Mr. Preston Willson, President and CEO of the Holiday Lake 4-H Education Center, Inc. requested \$10,000 from the Board for FYE17. These funds will be added to a special endowment fund where it would be used for the upkeep of the original buildings which were constructed in the late 1930's, and are now a historical district.

7. Public Hearings

a) REZ 15-03 for Larry Atkins

Zoning Administrator, Sarah Carter, informed the Board that this request is to rezone the property from A-2 and R-1 to B-2. Mr. Larry Atkins is proposing to use the existing lot for a pottery and gift shop. 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 REZ 15-03:

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

b) REZ 15-04 for Ronald and Linda Spears

Zoning Administrator, Sara Carter, informed the Board that this property, 65A3-A-49, 1875 Anderson Highway, is currently zoned A-2 with a CUP for a restaurant. El Jinete, a Mexican restaurant, is currently occupying the building, and has had problems with signage on the property. A previous sign was hit by a delivery truck and the replacement sign that the restaurant would like to construct is not legal in the district. In order to allow additional signs and allow for use flexibility, a rezoning to business must occur. 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 REZ 15-04 for Ronald and Linda Spears:

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

8. County Attorney/County Administrator Report

a) Consent Agenda

- 1) Approval of Bills for July 2015 and August 2015.
Approved bills for August 11, 2015 total \$32,038.32.
Ratified bills for July 15, 2015 through August 10,
2015 warrants total \$167,432.91 with check numbers
ranging from 70872 to 71129. Direct Deposits total
\$154,364.31.
- 2) Approval of Minutes (July 14, 2015)

On a motion by Supervisor Meinhard and carried by
the following vote, the Board approved the consent agenda:

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

b) Draft recommended Employee Manual

County Administrator, Vivian Giles, informed the Board that there were a few minor clerical changes that she had made to the draft employee manual, and one substantive change included verbiage allowing an employee to receive the proposed ten percent pay increase in five year anniversary if their job performance warrants such increase. The Chairman stated that he would not support any pay increase for county employees because of the county's financial circumstances.

Supervisor Osl reiterated that the step increases are dependent upon the Board the funds in the budget annually, and his concern is that there is no separation between increases for exempt employees and non-exempt employees. Supervisor Meinhard stated that the step increases are similar to what the School System employees receive. Supervisor Ingle stated that the step increases and the Education incentive is similar to what the State offers its employees and this may help with County employee retention.

Supervisor Osl made a motion to approve the Employee manual with the exception of section 3-5a. Methods of Salary increases which allows for a step increase for all employees every 5 years. The Board continued to discuss the step increases for employees.

Supervisor Meinhard made a substitute motion, which passed by the following vote, to approve the Employee manual with amending section 3-5a. Methods of Salary increases to change the percentage of the step increase from 10% to 5%:

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

- c) Personal Property Tax Relief Act (PPTRA) Resolution for Calendar year 2015

On a motion by Supervisor Wheeler and carried, the Board approved the 2015 PPTRA rate of 45.11% by the following Resolution:

**RESOLUTION PURSUANT TO
CUMBERLAND COUNTY CODE
§ 58-291(b)**

**ADOPTION OF THE
CALENDAR YEAR 2015
PERSONAL PROPERTY TAX
RELIEF ACT PERCENTAGE TO BE
APPLIED
TO TANGIBLE PERSONAL
PROPERTY**

WHEREAS, Va. Code § 58.1-3524 requires the Governing body of each locality annually to establish a rate at which personal property tax relief is applied to tangible personal property; and

WHEREAS, pursuant to Cumberland County Code § 58-291, the Board is required to establish, by resolution, the percentage of tax relief at such a level that it anticipates to fully exhaust the Personal Property Tax Relief Act funds received from the Commonwealth; and

WHEREAS, the Commissioner of the Revenue has determined that for calendar year 2015, the rate at which the Personal Property Tax Relief Act funds received from the Commonwealth would be exhausted in Cumberland County when applied to tangible personal property is 45.11%.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Cumberland County, Virginia hereby establishes the calendar year 2015 Personal Property Tax Relief Act percentage to be applied to tangible personal property taxed in Cumberland County, Virginia to be 45.11%.

Adopted the 11th day of August, 2015.

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

- d) Water and Sewer Advisory Committee appointment – 5th District; Harry Donahue

On a motion by Supervisor Wheeler and carried unanimously, the Board appointed Mr. Harry Donahue to the Water and Sewer Advisory Committee for a 3 year term expiring August 31, 2018:

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

- e) Appropriation of funds for Utility Department – pump truck purchase

County Administrator, Vivian Giles, informed the Board that as staff has been looking into ways to reduce the cost of leachate disposal, and purchasing a pump truck would be a long term cost savings. Ms. Giles requested the Board appropriate \$45,000 for the purchase of a pump truck. At a cost savings of \$3,805 per month, the expenditure for the truck purchase will be recouped in approximately one year.

On a motion by Supervisor Osl and carried unanimously, the Board approved the issuance of an RFP for a pump truck for the Utilities Department:

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

f) Reappointments to the Industrial Development Authority –

On a motion by Supervisor Osl and carried unanimously, the Board approved the Reappointment of Mr. Lester Nyce, Mr. Fred Shumaker, Mr. Lou Seigel, and Mr. Joe Hazlegrove to the Industrial Development Authority (IDA), each for four year terms expiring August 31, 2019:

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

9. Finance Director’s Report

a) Monthly budget Report

There was no monthly budget report submitted to the Board this month.

b) Budget Transfers

On a motion by Supervisor Wheeler and carried unanimously, the Board approved the budget transfers as presented in the Board packet:

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

c) Revenue Appropriations

On a motion by Supervisor Wheeler and carried unanimously, the Board approved the Revenue Appropriations below:

- 1) Reimbursements received from the school
 - 3-100-001899-0018 \$7,438.41-
 - 4-100-043200-8001 \$7,438.41+
- 2) Circuit Court requests for Technology Fund money
 - 3-100-002307-0001 \$7,400.00-
 - 4-100-021600-3100 \$7,400.00+

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

d) CUCPS Appropriation – \$110,480.55

On a motion by Supervisor Wheeler and carried unanimously, the Board approved the appropriation to Cumberland County Public Schools for \$110,480.55:

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

e) CUCPS Appropriation - \$150,000.00

On a motion by Supervisor Wheeler and carried unanimously, the Board approved the appropriation to the

Cumberland County School Board in the amount of \$150,000.00:

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

- f) Supplemental Appropriation of \$20K for FYE15 funds for Cumberland Volunteer Rescue Squad

A request was made and approved by the Board in May 2015/FYE15 for these funds, but they were not requested until this fiscal year/FYE16. A supplemental appropriation is needed to be able to use these funds in this fiscal year.

On a motion by Supervisor Wheeler and carried unanimously, the Board approved the supplemental appropriation request for \$20,000 to the Cumberland Volunteer Rescue Squad:

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

10. Planning Director’s Report

- a) Planning Project update

There was no discussion on the current Planning projects.

- b) Set public hearing for CUP 15-07 Blue Door Mini Storage

On a motion by Supervisor Meinhard and carried unanimously, the Board set CUP 15-07 for Blue Door Mini-Storage for September 8, 2015:

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

c) Set public hearing for CA 15-09 Buffers

On a motion by Supervisor Meinhard and carried unanimously, the Board set CA 15-09 for Buffers for September 8, 2015:

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

d) J. Hubert Allen – Reappointment to the Planning Commission

On a motion by Supervisor Meinhard and carried unanimously, the Board appointed Mr. J. Hubert Allen to the Planning Commission for a three year term expiring August 14, 2018:

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

e) CUP 15-06 Giles Road Campground

Planning Director, Sara Carter, informed the Board that Mary Tyson has deferred indefinitely her request for a Conditional Use Permit for a four RV campground on a 3.6 acre parcel of Giles Road, approximately 0.2 miles south of Columbia Road. Should she decide to proceed with the case, the Planning Commission will hold a second public hearing prior to making a recommendation to the Board.

f) CA 15-04 Sign Ordinance

No action was taken on this item. It was the consensus of the Board to table this item until the next regular meeting of the Board.

11. Old Business

N/A

12. New Business

N/A

13. Public Comments (Part 2)

Two citizens voiced concern over county spending. One citizen voiced concern about the condition of Samuel's Drive in Cartersville, the road leading into the Hamilton Transfer Station. This resident requested that the County consider watering the road constantly or paving the road to keep the dust down. Also, there is traffic even on the days when the transfer station is closed. Supervisor Osl mentioned that the Hamilton Transfer Station is the only transfer station in the county that is not hard surfaced, and it is the longest road of the three. He also suggested that a sign that reflects the hours of operation be placed at the corner of Columbia Road and Samuel's Drive.

14. Board Member Comments

Supervisor Ingle thanked Antwan Monroe again for his selfless actions in assisting a citizen in need.

15. 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.5: Consultation with Legal Counsel

Subject: Community Host Agreement

Pursuant to Virginia Code § 2.2-3711.A.3: Acquisition of Real Property; and

Pursuant to Virginia Code § 2.2-3711.A.6: Investment of Public Funds; and

Pursuant to Virginia Code § 2.2-3711.A.7: Consultation with Legal Counsel

Subject: Purchase of Real Property for Piedmont Regional Jail

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

16. 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.

17. Additional Information

a) Treasurer's Report

- b) DMV Report
- c) Recycling Report
- d) Monthly Building Inspections Report
- e) Approved Planning Commission meeting minutes – N/A
- f) Approved IDA meeting minutes-N/A

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 September 8, 2015 at 6:00 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

Lloyd Banks, Jr., Chairman

Vivian Giles, County Administrator/County Attorney